



**In The Matter Of:**

*Triarch Architectural Services, P.C. v.  
Medallion Inc., et al.*

---

*Vladimir Voronchenko  
Vol. 1, June 7, 2012*

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*Greenhouse Reporting, Inc.  
Computerized Litigation Support  
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*Original File VV060712.V1, 310 Pages  
Min-U-Script® File ID: 4067330045*

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[1]  
[2] UNITED STATES DISTRICT COURT  
[3] SOUTHERN DISTRICT OF NEW YORK  
[4]  
[5] TRIARCH ARCHITECTURAL SERVICES,  
[6] Plaintiff,  
[7] -against-  
[8] MEDALLION INC., VLADIMIR VORONCHENKO,  
[9] and GARTH HAYDEN ARCHITECT  
[10] Defendants.  
[11]  
[12]  
[13] June 7, 2012  
[14] 9:34 a.m.  
[15]  
[16] DEPOSITION of VLADIMIR VORONCHENKO,  
[17] taken by the Plaintiff, pursuant to Notice and  
[18] Order, at the law offices of MANDEL BHANDARI,  
[19] LLP, 11 Broadway, New York, New York, before  
[20] Karen Perlman, RPR, a Shorthand Reporter and  
[21] Notary Public within and for the State of New  
[22] York.  
[23]  
[24] GREENHOUSE REPORTING, INC.  
875 Sixth Avenue - Suite 1716  
[25] New York, New York 10001  
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[1]  
[2] APPEARANCES:  
[3]  
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[7] New York, New York 10004  
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[9] RISHI BHANDARI, ESQ.  
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[11] SAM P. ISRAEL, P.C.  
[12] Attorney for Defendants Medallion Inc. and  
[13] Vladimir Voronchenko  
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[24]  
[25]

[1]  
[2] STIPULATIONS  
[3] IT IS HEREBY STIPULATED AND AGREED  
[4] by and between the attorneys for the respective  
[5] parties hereto, that all objections, except as to  
[6] form, shall be reserved to the time of trial.  
[7] IT IS FURTHER STIPULATED AND AGREED  
[8] that the sealing and filing of the within  
[9] deposition are hereby waived.  
[10] IT IS FURTHER STIPULATED AND AGREED  
[11] that the within deposition may be subscribed and  
[12] sworn to by the witness being examined before a  
[13] Notary Public other than the Notary Public before  
[14] whom this deposition was begun.  
[15]  
[16]  
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[1] **V. Voronchenko**  
[2] VLADIMIR VORONCHENKO, having  
[3] been first duly sworn by the Notary  
[4] Public, was examined and testified under  
[5] oath as follows:  
[6]  
[7] (Plaintiff's Exhibit 36, document  
[8] dated 6/7/12, marked for identification.)  
[9] (Plaintiff's Exhibit 37, document  
[10] entitled, "Summons in a Civil Case", marked  
[11] for identification.)  
[12] (Plaintiff's Exhibit 38, document  
[13] entitled, "Summons in a Civil Action",  
[14] marked for identification.)  
[15] **EXAMINATION**  
[16] **BY MR. MANDEL:**  
[17] **Q:** Good morning, Mr. Voronchenko.  
[18] **A:** Morning. Morning.  
[19] **Q:** Have you ever been deposed in the  
[20] United States before?  
[21] **A:** No.  
[22] **Q:** There are a few ground rules I'll go  
[23] over with you. One is because everything — a  
[24] court reporter is taking down all of your  
[25] testimony today, it is important that all of your

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**V. Voronchenko**

[1] answers be spoken.  
[2] **MR. ISRAEL:** Evan, slower, though,  
[3] okay, slower.  
[4] **Q:** The court reporter can't take down  
[5] nods of the head, or mm-hmms or um-hmms, the  
[6] court reporter can only take down words.  
[7] Second, it's important for you and I  
[8] to try not to interrupt each other, it becomes  
[9] very difficult for the court reporter to take  
[10] down testimony —  
[11] **A:** No interrupt.  
[12] **Q:** Exactly.  
[13] **A:** Okay.  
[14] **Q:** Third, I'm going to assume that you  
[15] understand all of my questions. As you explained  
[16] to me before you started, English is not your  
[17] first language.  
[18] If at any point today, you think  
[19] maybe possibly you don't understand one of my  
[20] questions, even if you're unsure about whether or  
[21] not you understand it, please stop me, and I will  
[22] clarify the question.  
[23] **A:** Okay.  
[24] **Q:** And, finally, you're entitled to  
[25]

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**V. Voronchenko**

[1] take a break at any time you would like.  
[2] **A:** Okay.  
[3] **Q:** Just say so. Would it be all right  
[4] if I refer to the apartment on the 21st floor of  
[5] 515 Park Avenue as the apartment today?  
[6] **A:** You ask — what — sorry. First —  
[7] **MR. ISRAEL:** He wants you to know  
[8] that when he refers to "the apartment" —  
[9] **THE WITNESS:** Yes.  
[10] **MR. ISRAEL:** — he's referring to  
[11] the apartment on the 21st floor, that is  
[12] what he's talking about.  
[13] **THE WITNESS:** Yes, yes, yes. We're  
[14] talking about this apartment.  
[15] **Q:** And you understand that that  
[16] apartment is what this case is about?  
[17] **A:** Yes.  
[18] **Q:** Do you live in that apartment?  
[19] **A:** When I'm in New York, yes.  
[20] **Q:** And how often are you in New York?  
[21] **A:** Three months a year. Between three,  
[22] four months a year, it depends on the year. One  
[23] year I can live two months, one year I can live  
[24] four months, one year three months, so something  
[25]

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**V. Voronchenko**

[1] like that.  
[2] **Q:** How about in 2011, approximately how  
[3] much time did you spend in New York in 2011?  
[4] **MR. ISRAEL:** That is in New York,  
[5] not necessarily the apartment, right,  
[6] you're just saying how long in New York?  
[7] **MR. MANDEL:** Correct.  
[8] **A:** Maybe three months.  
[9] **Q:** And when you're in New York, do you  
[10] ever not stay at the apartment?  
[11] **MR. ISRAEL:** You mean now, right?  
[12] **MR. MANDEL:** Correct.  
[13] **Q:** In 2011, was there anytime you  
[14] stayed in New York but didn't stay at the  
[15] apartment?  
[16] **A:** No, I just — I just occupied this  
[17] apartment in October or in November 2011. And  
[18] it's very difficult to say about this apartment  
[19] in '11, because we just finished to ren — to do  
[20] something.  
[21] **Q:** When was the renovation on the  
[22] apartment complete?  
[23] **A:** Finished?  
[24] **Q:** Finished.  
[25]

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**V. Voronchenko**

[1] **A:** October, November of 2011.  
[2] Something like this. October. I don't remember  
[3] exactly.  
[4] **Q:** And when was the first time you  
[5] stayed in the apartment?  
[6] **A:** Me personally?  
[7] **Q:** You personally.  
[8] **A:** I think in November. Because I was  
[9] out from United States.  
[10] **MR. ISRAEL:** November of 2011?  
[11] **THE WITNESS:** '11, yes. November  
[12] 2011. I live in this apartment like total  
[13] maybe six, seven — me personally, I live  
[14] in this apartment maybe couple of weeks  
[15] altogether, during all of this period.  
[16] **Q:** And who else lives in the apartment?  
[17] **A:** My wife and two kids.  
[18] **Q:** And what is your wife's name?  
[19] **A:** Sorry?  
[20] **Q:** What is your wife's name?  
[21] **A:** Lisa Kharlamov, Lisa Kharlamov.  
[22] **Q:** How do you spell her last name?  
[23] **A:** K-H-A-R-L-A-M-O-V.  
[24] **Q:** You have two children?  
[25]

	Page 9		Page 11
[1] <b>V. Voronchenko</b>	[1] <b>V. Voronchenko</b>	[1] <b>V. Voronchenko</b>	[1] <b>V. Voronchenko</b>
[2] <b>A:</b> Yes.	[2] <b>MR. ISRAEL:</b> Could I ask you	[2] <b>MR. ISRAEL:</b> Could I ask you	[2] <b>MR. ISRAEL:</b> Could I ask you
[3] <b>Q:</b> Is it one boy and one girl?	[3] something? He's concerned about this	[3] something? He's concerned about this	[3] something? He's concerned about this
[4] <b>A:</b> (Witness nods.)	[4] person's — the person has concerns about	[4] person's — the person has concerns about	[4] person's — the person has concerns about
[5] <b>Q:</b> How old is the boy?	[5] having his interest be known publicly. So	[5] having his interest be known publicly. So	[5] having his interest be known publicly. So
[6] <b>A:</b> 15.	[6] could we keep this part of the deposition	[6] could we keep this part of the deposition	[6] could we keep this part of the deposition
[7] <b>Q:</b> And how old is the girl?	[7] confidential, just this one area I want to	[7] confidential, just this one area I want to	[7] confidential, just this one area I want to
[8] <b>A:</b> 21.	[8] keep confidential. Do you have a problem	[8] keep confidential. Do you have a problem	[8] keep confidential. Do you have a problem
[9] <b>Q:</b> Who owns the apartment?	[9] with that? You'll get the information but	[9] with that? You'll get the information but	[9] with that? You'll get the information but
[10] <b>A:</b> Medallion Company, Medallion.	[10] can we keep it confidential so it is not	[10] can we keep it confidential so it is not	[10] can we keep it confidential so it is not
[11] <b>Q:</b> What business is Medallion in?	[11] generally available to the public?	[11] generally available to the public?	[11] generally available to the public?
[12] <b>A:</b> Real estate.	[12] <b>MR. MANDEL:</b> There is a	[12] <b>MR. MANDEL:</b> There is a	[12] <b>MR. MANDEL:</b> There is a
[13] <b>Q:</b> Do you pay Medallion —	[13] confidentiality dispute that the court is	[13] confidentiality dispute that the court is	[13] confidentiality dispute that the court is
[14] <b>MR. MANDEL:</b> Withdrawn.	[14] currently ruling on. Unfortunately, my	[14] currently ruling on. Unfortunately, my	[14] currently ruling on. Unfortunately, my
[15] <b>Q:</b> Do you pay Medallion any rent?	[15] client has not authorized me to enter into	[15] client has not authorized me to enter into	[15] client has not authorized me to enter into
[16] <b>A:</b> No, not yet.	[16] any confidentiality agreements here today;	[16] any confidentiality agreements here today;	[16] any confidentiality agreements here today;
[17] <b>Q:</b> Are you going to pay them rent at	[17] however, what we have agreed to is to keep	[17] however, what we have agreed to is to keep	[17] however, what we have agreed to is to keep
[18] some point?	[18] things confidential unless and until the	[18] things confidential unless and until the	[18] things confidential unless and until the
[19] <b>A:</b> I think no.	[19] court rules on the defendant's motion for a	[19] court rules on the defendant's motion for a	[19] court rules on the defendant's motion for a
[20] <b>Q:</b> And do you own Medallion?	[20] protective order in the case.	[20] protective order in the case.	[20] protective order in the case.
[21] <b>A:</b> No.	[21] So that protective order is currently	[21] So that protective order is currently	[21] So that protective order is currently
[22] <b>Q:</b> Who owns Medallion?	[22] in place pursuant to that agreement. And	[22] in place pursuant to that agreement. And	[22] in place pursuant to that agreement. And
[23] <b>A:</b> Very long chain, trust, another	[23] we will continue to abide by that	[23] we will continue to abide by that	[23] we will continue to abide by that
[24] trust, Russian — big group, very big group.	[24] protective order, pending the court's	[24] protective order, pending the court's	[24] protective order, pending the court's
[25] <b>Q:</b> And when you say a big Russian	[25] ruling on the defendant's motion.	[25] ruling on the defendant's motion.	[25] ruling on the defendant's motion.
	Page 10		Page 12
[1] <b>V. Voronchenko</b>	[1] <b>V. Voronchenko</b>	[1] <b>V. Voronchenko</b>	[1] <b>V. Voronchenko</b>
[2] group, do you mean a lot of different people or	[2] So this — what I understand is you	[2] So this — what I understand is you	[2] So this — what I understand is you
[3] do you mean one big Russian entity?	[3] would like to designate this section of the	[3] would like to designate this section of the	[3] would like to designate this section of the
[4] <b>A:</b> Oh, it's one big group, and several	[4] transcript addressing the ownership of	[4] transcript addressing the ownership of	[4] transcript addressing the ownership of
[5] people involved in the group, not me included in	[5] Medallion as confidential under the	[5] Medallion as confidential under the	[5] Medallion as confidential under the
[6] this group.	[6] protective order?	[6] protective order?	[6] protective order?
[7] <b>Q:</b> So you don't own any part of	[7] <b>MR. ISRAEL:</b> What I would like to do	[7] <b>MR. ISRAEL:</b> What I would like to do	[7] <b>MR. ISRAEL:</b> What I would like to do
[8] Medallion, either directly or indirectly?	[8] is have the court reporter put on the top	[8] is have the court reporter put on the top	[8] is have the court reporter put on the top
[9] <b>A:</b> No, no. Not directly, not — not	[9] of the page, "Confidential," and then when	[9] of the page, "Confidential," and then when	[9] of the page, "Confidential," and then when
[10] directly.	[10] this testimony is over she can remove that	[10] this testimony is over she can remove that	[10] this testimony is over she can remove that
[11] <b>Q:</b> So Medallion is letting you and your	[11] confidential designation, okay? Subject to	[11] confidential designation, okay? Subject to	[11] confidential designation, okay? Subject to
[12] family live in the apartment for free?	[12] what you just said.	[12] what you just said.	[12] what you just said.
[13] <b>A:</b> Yes.	[13] <b>MR. MANDEL:</b> Subject to what we just	[13] <b>MR. MANDEL:</b> Subject to what we just	[13] <b>MR. MANDEL:</b> Subject to what we just
[14] <b>Q:</b> And why do they do that?	[14] said, that it would be consistent with the	[14] said, that it would be consistent with the	[14] said, that it would be consistent with the
[15] <b>A:</b> Because main owner of this huge	[15] protective order that is in place, pending	[15] protective order that is in place, pending	[15] protective order that is in place, pending
[16] group, he is my friend from — from my birthday,	[16] the resolution, so I have no problem with	[16] the resolution, so I have no problem with	[16] the resolution, so I have no problem with
[17] maybe and we — we were — we lived to	[17] that.	[17] that.	[17] that.
[18] one — when we was — okay. From the beginning,	[18] <b>MR. ISRAEL:</b> Okay.	[18] <b>MR. ISRAEL:</b> Okay.	[18] <b>MR. ISRAEL:</b> Okay.
[19] we live in one small West Ukrainian city. We are	[19] (The following portion has been	[19] (The following portion has been	[19] (The following portion has been
[20] from this city together, you know, we — we are	[20] deemed confidential.)	[20] deemed confidential.)	[20] deemed confidential.)
[21] friends from the very small age. Our families	[21]	[21]	[21]
[22] friend and we studied in one school and we	[22]	[22]	[22]
[23] continue our relation all our life.	[23]	[23]	[23]
[24] <b>Q:</b> And what is his name?	[24]	[24]	[24]
[25] <b>A:</b> This is not —	[25]	[25]	[25]

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[1] Confidential  
[2] A: This is not big secret, but I don't  
[3] want to distribute his name, you know, he's the  
[4] one that is the biggest guy in our company, his  
[5] name is Vekselberg.  
[6] Q: How do you spell his last name?  
[7] A: Vekselberg, V-E-X-S-E-L-B-E-R-G,  
[8] Vekselberg. Oh, sorry, not X, Vek, V-E — E-K,  
[9] K-S, Vekselberg, Victor.  
[10] Q: Again, you know far more English  
[11] than I know Cyrillic.  
[12] A: It's not very rare name.  
[13] Vekselberg.  
[14] Q: Why is it important that  
[15] Mr. Vekselberg's name remain confidential?  
[16] A: It's important, because he is very  
[17] famous guy in our country, and I don't want to  
[18] involve his — his name in this process, I tell  
[19] you this name.  
[20] Q: So you're —  
[21] A: He was official person. He is big  
[22] person. He is very well known. If you open  
[23] Internet you will understand why I don't want to  
[24] talk too much about his name. It's very easy.  
[25] Q: So your concern is that there might

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[1] Confidential  
[2] be some negative publicity?  
[3] A: Yes, of course, that's it.  
[4] Q: Would allowing his name to become  
[5] public in relation to this case help Medallion's  
[6] competitors compete against Medallion?  
[7] A: I don't understand. Sorry.  
[8] Q: That is fine, if you don't  
[9] understand a question just speak up, I'll  
[10] rephrase the question.  
[11] A: Yes.  
[12] Q: I understand that you don't want  
[13] Mr. Vekselberg to have any publicity in  
[14] connection with this case.  
[15] A: No, really — I didn't ask him about  
[16] this because it's any publicity for very  
[17] well-known people, it's not so great, as I  
[18] understood it, this is my feeling, any publicity.  
[19] He doesn't like any press, any this any of that.  
[20] When you open the Internet to check  
[21] who this person is, you will understand  
[22] why — it's not problem, I tell you the name  
[23] and — if it's possible, not to — not too many  
[24] information out. If it's not possible —  
[25] Q: Right. Right. Would — if his name

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[1] Confidential  
[2] became public, would that hurt Medallion as a  
[3] company?  
[4] A: If it's his name would be public, I  
[5] don't understand.  
[6] Q: Sure. I understand that  
[7] Mr. Vekselberg dislikes publicity, and I don't  
[8] want to cause his name to be in the paper.  
[9] A: No. All this business is belonging  
[10] to his holding and groups. I don't — I don't  
[11] know even how it's built inside, you know.  
[12] Q: Does Medallion have competitors?  
[13] A: Competitors?  
[14] Q: Yes.  
[15] MR. ISRAEL: Calls for a legal  
[16] conclusion.  
[17] Q: Medallion is in the real estate  
[18] business, you said?  
[19] A: Yes, Medallion has some — another  
[20] — another things in Russia, I don't know what.  
[21] Q: Does —  
[22] A: I don't know really how its work,  
[23] because this company bought the apartment and how  
[24] it was — how it was, I don't know. I don't — I  
[25] don't know that.

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[1] Confidential  
[2] Q: Do you know exactly what Medallion's  
[3] business interests are?  
[4] A: He bought some real estate in  
[5] different places.  
[6] Q: And what kind of real estate?  
[7] A: Like in investment. Like  
[8] investment.  
[9] Q: Is it mostly residential real  
[10] estate?  
[11] A: I don't even know, really. I think  
[12] different. The investment, you can make  
[13] investment in any kind of real estate. This or  
[14] that.  
[15] Q: When Medallion invests in real  
[16] estate, do the people who are selling him the  
[17] real estate or leasing him the real estate, do  
[18] they know Mr. Vekselberg owns Medallion?  
[19] MR. ISRAEL: Objection, misstates  
[20] testimony.  
[21] A: Of course not. Mr. Vekselberg has  
[22] around — as I know, around 700 to 800 companies,  
[23] official companies. Definitely people don't know  
[24] about this. I a hundred percent know, it would  
[25] be very unusual if they know about this.

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[1] Confidential

[2] Q: Did Medallion purchase the apartment  
[3] as an investment?

[4] A: I think, yes.

[5] Q: Did he also purchase it so that you  
[6] could live there?

[7] A: Yeah. Because he's my friend and he  
[8] told me, okay, help to make nice decoration,  
[9] design, da-da-da-da-da, and you can live couple  
[10] of years or how many years, I don't know. We are  
[11] working together where — we are really very  
[12] close friends.

[13] Q: Do you have a business relationship  
[14] as well with Mr. Vekselberg?

[15] A: Yes, yes.

[16] Q: And you invest together in different  
[17] businesses?

[18] A: You know, what you want to — to  
[19] know about this, about my relations with Victor  
[20] Vekselberg, it is very far from the question of  
[21] design and decoration of my apartment, you know.

[22] Q: Okay.

[23] MR. MANDEL: I'll withdraw that  
[24] question.

[25] A: You can ask me about my girlfriends

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[1] Confidential

[2] and about this, it's the same question. Sorry  
[3] about that, you know, it's really too far from  
[4] the question of what we are talking today now.

[5] Q: Okay?

[6] A: He's my very, very close friend. If  
[7] you open the Internet and my, for example, name,  
[8] you will see a lot of publication where we are  
[9] together, this, this, and this, many, many, many  
[10] times, you know. And we're really very close  
[11] friends, and this is my answer for your question.  
[12] You can check it even by Russian press, you know.  
[13] About this.

[14] (Continued in nonconfidential portion  
[15] of transcript.)

[16]

[17]

[18]

[19]

[20]

[21]

[22]

[23]

[24]

[25]

Page 19

[1]

V. Voronchenko

[2] Q: When — when Medallion first  
[3] considered buying the apartment, was the plan to  
[4] buy an apartment that you could live in?

[5] A: Me?

[6] Q: Yes. What I'm asking is at the  
[7] very — you know, at what time, did Medallion buy  
[8] the apartment?

[9] A: What time?

[10] Q: Yes. When, when did Medallion buy  
[11] the apartment.

[12] A: I don't remember. Four, five years  
[13] ago. I don't remember, maybe five years ago,  
[14] something like that.

[15] Q: And at the time Medallion was  
[16] considering whether to buy that apartment, was  
[17] Medallion's plan to buy the apartment and then  
[18] renovate it and design it and then have you move  
[19] in?

[20] A: I thought, you know what — what his  
[21] company real estate do with apartments, with real  
[22] estate. They buy, they doing the nice condition,  
[23] always, you know, and after this, they think what  
[24] to do, what to keep or to sell or to wait and  
[25] different because when they large, big, large

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[1]

V. Voronchenko

[2] group, they invest money into different,  
[3] different, different projects, you know, just  
[4] to — to make the money more secure and more  
[5] stable. It's typical business strategy. You  
[6] know, not buy and sell, buy and sell, buy and  
[7] keep it for — for some years, maybe 5 years,  
[8] maybe 10 years, maybe 20 years, you know, because  
[9] it is very good invested money, if it's  
[10] right — right property.

[11] Q: So when Medallion first considered  
[12] buying the apartment, its plan was to buy the  
[13] apartment, renovate it, hold it for a period of  
[14] time and then sell it, hopefully, for a profit?

[15] A: Sell it, who knows when sell it. I  
[16] never ask. I never ask them about their future  
[17] plans. This is a multi, multi, multibillions  
[18] group, you know, multibillions group. And my  
[19] friend, he is in Forbes in a very good position  
[20] and for his group, this apartment, you know, it's  
[21] like — like not big investment. And  
[22] they — they do investment in many  
[23] different — many different areas, you know.

[24] Q: And at the time they were planning  
[25] to buy the apartment and then renovate it and



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**V. Voronchenko**

[1] then perhaps sell it at some point in the future,  
[2] was the plan for you to live in it before it was  
[3] sold?  
[4] **A:** Listen, it was — it's a life, you  
[5] know, and before I rent the apartment, sometimes  
[6] my friend tell me, listen, I buy a apartment, do  
[7] the repair and do the decoration, live it, live  
[8] in this apartment. Okay. Thank you very much.  
[9] **Q:** And when did he say that to you?  
[10] **A:** A couple of years ago.  
[11] **Q:** Did you go view the apartment before  
[12] it was purchased?  
[13] **A:** Before what?  
[14] **Q:** Before Medallion purchased it,  
[15] before Medallion bought the apartment.  
[16] **A:** I don't remember.  
[17] **MR. ISRAEL:** Did you see the  
[18] apartment before Medallion actually  
[19] acquired it? Did you see it beforehand?  
[20] **THE WITNESS:** Me personally, I think  
[21] no.  
[22] **Q:** Before Medallion bought the  
[23] apartment, did anyone talk to you and say is this  
[24] the kind of apartment you would like to live in?  
[25]

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**V. Voronchenko**

[1] **A:** Not really.  
[2] **Q:** So —  
[3] **A:** Not really, because he wanted to buy  
[4] apartment for — I don't remember, for his family  
[5] or for somebody from family, but somebody from  
[6] his family move to another place, and the result  
[7] was like this.  
[8] He wanted — I remember — to buy  
[9] this apartment for his daughter. But his  
[10] daughter moved to Moscow, you know. The  
[11] apartment is like — he doesn't want to sell  
[12] because he doesn't need money immediately, you  
[13] know, he's looking to make a real estate  
[14] grows — growth up, and this is the world. Not  
[15] like, you know, a strategy plan, you know.  
[16] If — if his daughter not move to  
[17] Moscow, I think I'll not live in this apartment,  
[18] you know, it's very easy.  
[19] **Q:** And when Mr. Vekselberg —  
[20] **MR. ISRAEL:** Berg.  
[21] **MR. MANDEL:** Did I get it wrong?  
[22] **A:** Vekselberg.  
[23] **Q:** Vekselberg, I apologize.  
[24] When Mr. Vekselberg said to you why  
[25]

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**V. Voronchenko**

[1] don't you live in this apartment, was that before  
[2] any of the renovations had been done to it?  
[3] **A:** He ask me before, please help me to  
[4] make excellent, beautiful decoration, repairing  
[5] and da-da-da-da.  
[6] **Q:** So were you then responsible for  
[7] overseeing the renovation of the apartment?  
[8] **A:** Sorry, I didn't get the question.  
[9] **Q:** Were you — he told you to help  
[10] make —  
[11] **A:** Yes.  
[12] **Q:** — the apartment a beautiful  
[13] apartment?  
[14] **A:** Yeah, yeah, yeah.  
[15] **Q:** Were you in charge of doing that?  
[16] **A:** He —  
[17] **Q:** No, you. In other words, were you  
[18] in charge of saying I need to make all the  
[19] decisions that need to be made in order to make  
[20] this —  
[21] **A:** No. Listen, he — he thinks, maybe  
[22] wrong or maybe right, I have good taste. I don't  
[23] know. Maybe he has some reasons. And he told me  
[24] do this for your taste, nice apartment for — for  
[25]

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**V. Voronchenko**

[1] your taste. And I tried to do the best  
[2] what — what I can — what I can like personally  
[3] and we are very similar with them. He's more  
[4] concentrate with the business, with the oil,  
[5] metals, I am doing a little bit in another  
[6] business.  
[7] **Q:** What business are you in?  
[8] **A:** I have different business. I am  
[9] involved in art, in luxury business, something  
[10] like that. In foundation, in museums.  
[11] I built in Russia now two museums,  
[12] big one. First two private museums in Russia.  
[13] Because we have with my friend, Victor, has huge  
[14] collection, and we started to build, like, a home  
[15] for the collection. And it's a beautiful museum.  
[16] Because he bought — nine or ten years ago, we  
[17] bought with them the Forbes collection of  
[18] imperial Faberg eggs, you don't remember the  
[19] story, but if you open the Internet you'll see  
[20] this, from Forbes family. He paid a lot of  
[21] money, around 150 million for this, for this  
[22] beautiful Forbes Faberg eggs.  
[23] **Q:** And are those — is that Faberg egg  
[24] collection going to go in one of your private  
[25]

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[1] **V. Voronchenko**  
[2] museums?  
[3] **A:** Yes. And we continue to create the  
[4] collection and we spent a lot of time and I  
[5] personally spent a lot of time for this.  
[6] **Q:** Do you have any business in New  
[7] York?  
[8] **A:** No. Never.  
[9] **Q:** And —  
[10] **A:** I just did one business in New York,  
[11] and very funny story. We have very old church,  
[12] monastery in Moscow. And after revolution, 1917  
[13] revolution, and this Daniel Lovski Church has  
[14] bells. You know bells, you know? It was 19  
[15] bells. So the weight of the bells is like — the  
[16] weight of the bells is like 20 or 30 tons. It's  
[17] huge, huge bells, you know.  
[18] And one American businessman bought  
[19] these bells from Russian. This is no — this is  
[20] — I think you don't need this, to put this.  
[21] This is like —  
[22] **Q:** She has to take everything down.  
[23] **A:** Okay. I am not go on about this.  
[24] **Q:** You can tell me about that on a  
[25] break.

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[1] **V. Voronchenko**  
[2] **A:** Yes.  
[3] **Q:** Have you ever had a business in New  
[4] York?  
[5] **A:** No.  
[6] **Q:** Your wife, Lisa?  
[7] **A:** Yes.  
[8] **Q:** Has she always lived in New York?  
[9] **A:** Yes. Sometimes in Moscow, of  
[10] course, sometimes in New York.  
[11] **Q:** Is she from New York or from Russia?  
[12] **A:** From Russia. From Ukraine, of  
[13] course, yes.  
[14] **Q:** But she's lived most of the time in  
[15] New York for many years?  
[16] **A:** She lives in New York more than in  
[17] Moscow, I can say like this.  
[18] **Q:** And that has been true for many  
[19] years?  
[20] **A:** Yes.  
[21] **Q:** And how long have you and Lisa been  
[22] married?  
[23] **A:** 16 years, or 15, or 16. Maybe 16.  
[24] **Q:** It's only important on your  
[25] anniversary to get this right.

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[1] **V. Voronchenko**  
[2] **A:** Don't tell her about my not —  
[3] **Q:** Did you have any role in deciding  
[4] what neighborhood Medallion would purchase an  
[5] apartment in?  
[6] **A:** My role in Medallion —  
[7] **Q:** Did you participate in the decision  
[8] to buy an apartment on, you know, Park Avenue,  
[9] around 60th Street?  
[10] **A:** I don't know. He asked me because I  
[11] know New York — I know Manhattan better than he  
[12] knows, yeah.  
[13] **Q:** And what do you think of that  
[14] neighborhood?  
[15] **MR. ISRAEL:** Objection.  
[16] You can answer.  
[17] **A:** Listen, who can tell this is bad?  
[18] It's — it's not bad, especially for his  
[19] position, it's — it's normal.  
[20] **Q:** How much did the apartment cost?  
[21] **A:** That, 10-something, as I know. 10  
[22] million-something.  
[23] **Q:** Between 10 and \$11 million?  
[24] **A:** Yeah, something like this.  
[25] **Q:** Do you know what country Medallion

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[1] **V. Voronchenko**  
[2] is incorporated in?  
[3] **A:** No.  
[4] **Q:** Do you know what year it was formed?  
[5] **A:** Sorry?  
[6] **Q:** Do you know what year Medallion was  
[7] created in?  
[8] **A:** I don't know.  
[9] **Q:** Has anybody, other than  
[10] Mr. Vekselberg, invested in Medallion?  
[11] **A:** Nobody. Listen, this is his group,  
[12] I don't know how it's inside.  
[13] **MR. ISRAEL:** I don't think he  
[14] understood your question, because earlier  
[15] he said that there was a group and that was  
[16] another group that had that group.  
[17] **MR. MANDEL:** Sure.  
[18] **A:** It's like very complicated always,  
[19] as I know. As I can — as I can imagine. I'm  
[20] not sure.  
[21] **Q:** Sure.  
[22] Sitting here today, do you know of  
[23] any person, other than Mr. Vekselberg, who has  
[24] invested in Medallion?  
[25] **A:** No.

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[1] **V. Voronchenko**  
[2] **Q:** Did you or Medallion ever consider  
[3] not renovating the apartment?  
[4] **MR. ISRAEL:** Objection. He — you  
[5] want to know whether him or  
[6] Medallion — it's a compound question,  
[7] really, because you want to know whether he  
[8] did or Medallion did.  
[9] **A:** I didn't understand, sorry, anyway.  
[10] Thank you for your advice but I did not  
[11] understand.  
[12] **Q:** Sure, sure.  
[13] Did anyone ever say —  
[14] **MR. MANDEL:** Withdrawn.  
[15] **Q:** What condition was the apartment in  
[16] when it was purchased by Medallion?  
[17] **A:** Not good. What do you mean not  
[18] good? It's not good, it's okay, because very  
[19] nice — I don't know. It's nice, nice floor and  
[20] typical doors from the beginning. It was  
[21] like — it was like from the — when the building  
[22] was — was built, 60 or 70 years ago.  
[23] **Q:** Did Medallion ever think about  
[24] possibly not renovating the apartment?  
[25] **MR. ISRAEL:** Objection. Calls for

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[1] **V. Voronchenko**  
[2] speculation. Also it's a double negative.  
[3] **A:** I don't know. He asked me to help  
[4] renovate, what they think about it, what they  
[5] think about before, I don't know, it's very  
[6] difficult for me to say this.  
[7] **Q:** Did you ever suggest to Medallion  
[8] that the apartment should not be renovated?  
[9] **A:** I didn't think about this. People  
[10] ask me to do some — to help with some job and to  
[11] make some nice project and —  
[12] **Q:** What were the goals of the  
[13] renovation?  
[14] **A:** Goals, what does it mean "goals"?  
[15] **Q:** What was the objective? What did  
[16] you want to achieve with the renovation?  
[17] **A:** Listen, I am very — I had message,  
[18] do nice, do beautiful, you know. This was only  
[19] one message, how beautiful for your taste, but  
[20] beautiful. Okay. My taste is very different,  
[21] you know, for New York, for this area. I — a  
[22] lot — I work a lot of — in different arts,  
[23] arts, I was, you know. And I concentrate very  
[24] much with arts. And I understand how — how its  
[25] work, you know.

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[1] **V. Voronchenko**  
[2] For this apartment, for my feeling,  
[3] the best, the best was art deco, art deco style,  
[4] but I wanted to do contemporary art deco, art  
[5] deco, but in current time and that's it.  
[6] **Q:** And when Mr. Vekselberg asked you to  
[7] renovate the apartment, did he give you a budget?  
[8] **A:** Not really. Not really. Nice, it's  
[9] nice, it means nice, not something unbelievable,  
[10] but it has to be nice. This apartment, many  
[11] different people worked with — with this  
[12] apartment, not only — not only Triarch.  
[13] **Q:** Who else worked on the apartment?  
[14] **A:** From the beginning, it was — how is  
[15] the name of this company? From Moscow.  
[16] **MR. ISRAEL:** Do you want me to  
[17] suggest to him the name?  
[18] **Q:** Did Libracon work?  
[19] **A:** Yeah. Libracon. Yes. Libracon.  
[20] This company do something for me and do something  
[21] for Mr. Vekselberg, the Libracon company, and  
[22] they helped me with design, with connection, with  
[23] the factory, with the producers.  
[24] **Q:** And is that factory Tempora Mobile?  
[25] **A:** I don't know, this is not my job, I

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[1] **V. Voronchenko**  
[2] don't know the name of the factory because I  
[3] never contact with this factory.  
[4] **Q:** Do you know what country the factory  
[5] was in?  
[6] **A:** I know Italy. Of course I know.  
[7] **Q:** Does or did Libracon have any  
[8] relationship with the factory?  
[9] **A:** Yeah. Libracon — Libracon has a  
[10] relationship with this factory.  
[11] **Q:** And do you know what the nature of  
[12] that relationship was?  
[13] **A:** I don't know. I think they used  
[14] this factory before, as I understand —  
[15] understood.  
[16] **Q:** And do you know if Libracon owns any  
[17] part of the factory?  
[18] **A:** No.  
[19] **Q:** Do you know if Libracon gets a  
[20] commission when it refers business to the  
[21] factory?  
[22] **A:** No.  
[23] **Q:** Other —  
[24] **A:** I think no, because — I have a lot  
[25] of businesses in Russia, I was not involved very

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[1] *V. Voronchenko*  
[2] deeply in this project, and I — I never checked  
[3] this project everyday but Libracon checked the  
[4] situation everyday.  
[5] **MR. ISRAEL:** You shouldn't guess.  
[6] If you don't know the answer to something,  
[7] just say you don't know and don't guess.  
[8] **A:** Yeah, but I try to — just try to  
[9] explain, you know —  
[10] **MR. ISRAEL:** I know.  
[11] **Q:** Yes.  
[12] **A:** — for the future questions.  
[13] **Q:** That is very important, I'm only  
[14] trying to get information you have. So if you  
[15] don't know something, it's very important for you  
[16] to say "I don't know."  
[17] **A:** Okay.  
[18] **Q:** Other than Libracon and the Italian  
[19] factory, who else provided services in renovating  
[20] the apartment?  
[21] **MR. ISRAEL:** You mean other than  
[22] laborers also? You're not talking about  
[23] the people who did the actual physical work  
[24] in the apartment and installing stuff.  
[25] **MR. MANDEL:** I would like to know

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[1] *V. Voronchenko*  
[2] everyone he knows who did work on it of any  
[3] kind.  
[4] **A:** I don't know. When I understood we  
[5] can't continue with the — with Triarch, if you  
[6] ask me I'll explain you later why.  
[7] **MR. ISRAEL:** He's asking you now all  
[8] the people that you know of who worked on,  
[9] who had any involvement in the renovation  
[10] of the apartment other than you mentioned  
[11] Libracon, anyone other than Libracon.  
[12] **A:** Before — before Triarch it was  
[13] architect Garth.  
[14] **MR. McKEE:** Garth.  
[15] **Q:** That is Garth Hayden?  
[16] **A:** I don't know his name.  
[17] **THE WITNESS:** Garth Hayden, yes?  
[18] **MR. McKEE:** It's what you remember.  
[19] **A:** I don't remember because I  
[20] didn't —  
[21] **Q:** You remember his first name was  
[22] Garth?  
[23] **MR. ISRAEL:** Yes, it's Garth.  
[24] **Q:** And you remember — he's in New  
[25] York?

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[1] *V. Voronchenko*  
[2] **A:** I know — I know he's like a Garth.  
[3] **MR. ISRAEL:** It's Garth Hayden.  
[4] **Q:** He's like a God, did you say?  
[5] **MR. ISRAEL:** Garth.  
[6] **A:** Garth.  
[7] **Q:** Garth.  
[8] And he is in New York, correct?  
[9] **A:** Yes.  
[10] **Q:** And Triarch performed services on  
[11] the —  
[12] **A:** He was before Triarch.  
[13] **Q:** So first came Garth. And then who  
[14] came next?  
[15] **MR. ISRAEL:** In terms of what?  
[16] **Q:** In terms of people who provided  
[17] services in connection to the renovation?  
[18] **A:** First came even not Garth. First  
[19] came company who turn — who makes repairing the  
[20] same apartment in, as I remember, 31st — 30 —  
[21] 31st or 32nd floor in the same building. They  
[22] came to me and — or somebody, I don't remember  
[23] how it worked, and showed me the apartment  
[24] upstairs, you know. And the apartment was very  
[25] nice. They gave me the drawings with all things

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[1] *V. Voronchenko*  
[2] what we have in my apartment, you know,  
[3] and — but their — their price and their times  
[4] work was not so great for me, you know, but I  
[5] keep their proposition of apartment in — in  
[6] upper floor. My apartment more or less the same  
[7] like upper floor when I came to Triarch, I gave  
[8] them this — this drawing, you know. This  
[9] drawing, it's like Garth — Garth drawing.  
[10] And after Triarch, I find a very  
[11] nice designer and decorator, Pepe Calderin,  
[12] P-E-P-E, Calderin, C-A-L-D-E-R-O-N.  
[13] **MR. McKEE:** E-R-O-N?  
[14] **A:** Yes. He's very famous apartment in  
[15] South America. He has his clothes brand and he's  
[16] really what — what I need. And all of his job,  
[17] most of his job did.  
[18] **MR. McKEE:** I-N, by the way,  
[19] Calderin, I-N.  
[20] **MR. ISRAEL:** Sorry about that.  
[21] **A:** I met her, I met him, I spoke with  
[22] him several times, and I wasn't happy with him.  
[23] **Q:** Where did you meet with him?  
[24] **A:** When I — when I stopped to work  
[25] with Triarch? Can you — could you refresh my

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[1] **V. Voronchenko**  
[2] memory?  
[3] **MR. ISRAEL:** He wants to know where  
[4] you met with him, where did the meeting —  
[5] **A:** Where —  
[6] **MR. ISRAEL:** Where? Where?  
[7] **Q:** What city? I mean was it in New  
[8] York or Miami or Moscow, if you remember?  
[9] **A:** Somebody of my friends, when they  
[10] visit Miami, recommended me him. I think our  
[11] first meeting was in Miami, as I remember. I am  
[12] not sure. Or maybe I spoke with him by phone and  
[13] he — he comes to me, he came to New York. I  
[14] don't remember about this.  
[15] **Q:** And how many times did you meet with  
[16] Mr. Calderin?  
[17] **A:** A lot. Not too many, but five,  
[18] seven, maybe ten. I don't — but I — you know,  
[19] okay, it's not — it's just talking, we don't  
[20] need to talk about nothing.  
[21] **Q:** So far you have identified Garth,  
[22] Triarch, Pepe Calderin and Libracon?  
[23] **A:** Libracon, and Italian company.  
[24] **Q:** And the Italian company, as people  
[25] who performed services in connection with the

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[1] **V. Voronchenko**  
[2] renovation of the apartment.  
[3] Is there anyone else who performed  
[4] services in connection with the renovation of the  
[5] apartment that you're aware of?  
[6] **A:** I don't remember. For me everything  
[7] organized Libracon, everything organized  
[8] Libracon.  
[9] **MR. MANDEL:** Sorry, could you read  
[10] that back.  
[11] (The record is read.)  
[12] **Q:** So Libracon organized all the  
[13] renovation of the apartment?  
[14] **A:** Yes.  
[15] **Q:** Do you know when Libracon was hired?  
[16] **A:** When Libracon —  
[17] **Q:** Was first retained or hired to work  
[18] on the apartment?  
[19] **A:** It was from the beginning, because  
[20] they're our friends, they're working for us in  
[21] Russia a lot. And —  
[22] **Q:** Does Mr. Vekselberg own Libracon?  
[23] **A:** No, this is independent company.  
[24] **Q:** Do you know who Libracon's owners  
[25] are?

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[1] **V. Voronchenko**  
[2] **A:** It's a group of people, group of  
[3] people, it's not only one. I think like four or  
[4] five people. It's all of them professional  
[5] builders and decorators, something like that,  
[6] they build a lot of — a lot of buildings  
[7] and — in Moscow.  
[8] **Q:** Had you worked with Libracon prior  
[9] to the renovation of this apartment?  
[10] **A:** Did I work —  
[11] **Q:** Was this the first time you worked  
[12] with Libracon?  
[13] **A:** No, no.  
[14] **Q:** Or have you worked with Libracon  
[15] before?  
[16] **A:** No, I worked with them in Moscow.  
[17] **Q:** And why not just hire Libracon to do  
[18] the whole job, why not hire Libracon and these  
[19] other people?  
[20] **A:** Listen, Libracon, they're not  
[21] working in the U.S., and they can't help to  
[22] organize everything, like they can't work really  
[23] every day, and they try to — they just try to  
[24] help me. And they were very, very nice with me.  
[25] They tried to check about all the details, about

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[1] **V. Voronchenko**  
[2] this, this, and about all connections and I  
[3] am — I was very not so close to details, you  
[4] know.  
[5] For me it was important, you know,  
[6] to find — to find the concept of design and  
[7] concept of how it's — how it can look, you  
[8] know, this is — that's it.  
[9] **Q:** Did Libracon have the skill  
[10] necessary to come up with the design concept?  
[11] **MR. McKEE:** Objection, form.  
[12] **MR. ISRAEL:** Objection. Calls for  
[13] speculation also.  
[14] **A:** I don't understand question anyway.  
[15] Again, please.  
[16] **Q:** Sure. You said the design concept  
[17] was very important to you?  
[18] **A:** Yes.  
[19] **Q:** Did Libracon have all of the  
[20] knowledge and expertise that are necessary to  
[21] come up with a design?  
[22] **MR. McKEE:** Objection.  
[23] **A:** Again, what Libracon — sorry, could  
[24] you — sorry, again, I don't understand.  
[25] **Q:** Sure, sure.

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[1] *V. Voronchenko*  
[2] **MR. ISRAEL:** Can I give it a shot?  
[3] **MR. MANDEL:** Sure.  
[4] **A:** Yes.  
[5] **MR. ISRAEL:** Did Libracon, did it  
[6] know enough, Libracon, did it have enough  
[7] skills to make a design?  
[8] **A:** Yes. Of course. They're very  
[9] professional people. They did a lot of designs  
[10] and decorations. They build nice offices,  
[11] buildings, stores in Moscow. Of course they can.  
[12] Very — very clever people. Very professional  
[13] people. I never used them if they are not  
[14] high — high, top professional people. Of  
[15] course, yes.  
[16] **Q:** But you ultimately decided to hire  
[17] other people to create the design, correct?  
[18] **MR. ISRAEL:** Objection.  
[19] You can answer. I made an objection,  
[20] but you can answer his question.  
[21] **A:** Yes, for me, could you repeat the  
[22] question? I need to understand everything.  
[23] **Q:** It is very important that you  
[24] understand, so don't hesitate to stop me.  
[25] I'm just trying to understand,

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[1] *V. Voronchenko*  
[2] Libracon had the knowledge to design a very nice  
[3] apartment, but you decided to hire other people  
[4] to come up with the design?  
[5] **A:** Listen, Libracon, they work in  
[6] Moscow. I wanted to have like a people who  
[7] lives — who lives in United States and who can  
[8] take care about every day. Libracon  
[9] can't — can't — they are there and the  
[10] apartment is here, and of course I try to find  
[11] somebody who has seven, eight hour per day, take  
[12] care and check and the process all the process,  
[13] because this is a process, not only to make  
[14] the — some — some pictures. Their obligation  
[15] for me was to — Triarch, it was make the nice  
[16] picture, how it's like in general, you know,  
[17] after this, all blueprints, all drawings, to make  
[18] all the drawings, to buy all small things, to buy  
[19] all furniture, to buy all carpets and lights and  
[20] it's very long story.  
[21] To decorate is much more difficult  
[22] than to build, you know. It was most important  
[23] thing in the apartment, it was decoration of the  
[24] apartment, not just to — to show something, you  
[25] know. If you — if you will, for example, go to

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[1] *V. Voronchenko*  
[2] check French — French magazines, decorate  
[3] something in France, in French taste it's always  
[4] just white walls, and that's it. The main  
[5] reason, main game of the taste, this is  
[6] furniture, colors of the draperies, colors of the  
[7] pillows, colors of the rugs, colors of the  
[8] painting.  
[9] They — they do this job in another  
[10] way, you know, it was most important thing is the  
[11] decoration, not just build something. And — and  
[12] of course I find somebody who will visit thousand  
[13] or hundred stores to find one chair from this  
[14] store, one chair from another store, another rug  
[15] from third store, it's huge, huge job, you know.  
[16] It's impossible to do the job with a company who  
[17] located in another side of the ocean.  
[18] **Q:** Did you —  
[19] **MR. MANDEL:** Withdrawn.  
[20] **Q:** Who, at the end of the day, who did  
[21] that job of going out and finding all the  
[22] furniture and decorating the apartment?  
[23] **A:** Pepe Calderin.  
[24] **Q:** Did Triarch continue in any way to  
[25] do the decoration of the apartment?

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[1] *V. Voronchenko*  
[2] **A:** They didn't touch or start to do  
[3] this.  
[4] I know you have a lot of questions  
[5] about this situation, if you prefer, I can tell  
[6] you the story.  
[7] **Q:** Please do. Please tell me the  
[8] story.  
[9] **A:** You know, because question answer,  
[10] question answer, question answer.  
[11] **THE WITNESS:** Can I do like this?  
[12] **MR. ISRAEL:** You can go ahead and  
[13] tell him the story.  
[14] **A:** You know my English is not so  
[15] perfect and I will lose your time for try to  
[16] explain — explain me every question, you know.  
[17] The story was like this: I have  
[18] very close friend, Mr. Michael Kaufman, you know,  
[19] I know him 25 years. He lives in New York. And  
[20] the owner of Triarch, he's his son-in-law. I  
[21] don't know — remember his name, Steve or Steven,  
[22] yes?  
[23] **MR. ISRAEL:** Yes.  
[24] I'm not supposed to tell you what  
[25] the answers to the questions are.

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**V. Voronchenko**

[1] **A:** Sorry, sorry.  
[2] **Q:** So Stephen Corelli sound familiar?  
[3] **A:** I don't remember his name, but —  
[4] family name, I remember his first name.  
[5] Steve, yes?  
[6] **Q:** Yes.  
[7] **A:** Steve.  
[8] **MR. ISRAEL:** That is who he's  
[9] referring to.  
[10] **A:** What?  
[11] **MR. ISRAEL:** You're referring to  
[12] Steve Corelli, I think. It doesn't matter,  
[13] that is who he's referring to.  
[14] **A:** Doesn't matter, I met him last time  
[15] three years ago.  
[16] And my friend, the father of my —  
[17] ex-wife of Steve, he knows he — he had  
[18] information about I'm looking to find something.  
[19] And he asked me, Vladimir, please, this is my  
[20] daughter, and he has nice husband, and definitely  
[21] he will work for you 24 hours per day. Take him  
[22] and you'll never — you'll never complain, I  
[23] guarantee you, he's nice, he is good. Believe  
[24] me. He is great, you know. And I grant Jesus  
[25]

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**V. Voronchenko**

[1] and a hundred percent guaranty, he will do what  
[2] he can more — more than to anybody in another  
[3] customers. He's really my friend. And — and he  
[4] asked me please do this, and you will help me.  
[5] And anyway, I need to take somebody,  
[6] and we — we go with my friends and with Steve to  
[7] his apartment to take some drink, you know, to  
[8] have some dinner together, you know. And I told  
[9] him okay. He showed me his apartment. It was  
[10] contemporary, not my taste, not my style, but it  
[11] is okay, it looks very good.  
[12] And Steve, he's law — son-in-law of  
[13] my friend and, you know, I thought — I thought  
[14] that he is really work ten times more than to any  
[15] other person, you know.  
[16] And we started to work. We started  
[17] to work with him. I spent a lot of time to  
[18] explain what I need. For him it was not so easy  
[19] because he concentrated in Manhattan with the  
[20] contemporary designer and decoration, you know.  
[21] Because Manhattan is a special city. It's city  
[22] for more — more cold design, more contemporary  
[23] design. You know about this. And if you check  
[24] the Steve website, you will see all his designs  
[25]

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**V. Voronchenko**

[1] is contemporary design, more or less.  
[2] And I explained him what I need.  
[3] And I spent a lot of time to — I gave him the  
[4] idea of upper floor in my building, with all  
[5] drawings. I gave him a lot of books. I gave him  
[6] a lot of, you know, magazines what — with the  
[7] exactly what I — what I need, because I know  
[8] some several very good French designers  
[9] who — who does — who does work in my style. I  
[10] showed him, listen, I need exactly you see the  
[11] picture, I need exactly what I need, exactly like  
[12] this. Panel like this, wood like this, you see  
[13] the — the wall like this, I need like this.  
[14] Please do me like this. It's normal. It's  
[15] always — not always, but it's work like this  
[16] very often. It's not problem with this.  
[17] After this one week, two week, three  
[18] weeks, four weeks, one month, two months, three  
[19] months, you know, and it's very, very slowly.  
[20] Very, very slowly, and very difficult, you know.  
[21] In four months, he showed me design  
[22] just not design just — just like a picture, you  
[23] know, like a — like a family room, dining room  
[24] and — and office, you know. Four month  
[25]

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**V. Voronchenko**

[1] just — just for this.  
[2] I ask to — send him the letters,  
[3] please do more fast, do more fast, do more fast.  
[4] But for them it was not very — I am not angry  
[5] for them, because it was very difficult for them  
[6] because they never did this design. They showed  
[7] me wrong — wrong furniture was the proposal.  
[8] They showed me wrong lights, what — what they  
[9] proposed, you know, and I started to understand  
[10] it was a mistake.  
[11] And because with speed like this,  
[12] you know, we finish in 10 years. Because after  
[13] four months, we had — we had nothing,  
[14] just — just, you know, this drawings what you  
[15] saw for — for three rooms. There was no  
[16] kitchen, no bedrooms, no bathrooms. It was  
[17] very — and no furniture, no nothing, you know.  
[18] I asked him, please, go ahead, go  
[19] ahead, go ahead. But — and I understood I made  
[20] mistake in one month after when we started, you  
[21] know. But I was very inconvenient situation with  
[22] my friend because I don't want to destroy his  
[23] mood? You understand, when you have old friend,  
[24] when your designer is your father-in-law,  
[25]

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[1] **V. Voronchenko**  
[2] it's —  
[3] **THE WITNESS:** Father-in-law?  
[4] **MR. ISRAEL:** Son-in-law.  
[5] **A:** Father-in-law, yes.  
[6] **MR. ISRAEL:** Son-in-law.  
[7] **A:** He's my — sorry, my friend is  
[8] father-in-law, he was son-in-law.  
[9] **THE WITNESS:** Why you didn't correct  
[10] me?  
[11] **MR. ISRAEL:** Because everyone knew  
[12] what you meant, everyone understood what  
[13] you meant.  
[14] **THE WITNESS:** But anyway, it's — I  
[15] feel uncomfortable.  
[16] **MR. ISRAEL:** You're doing fine.  
[17] **THE WITNESS:** Okay.  
[18] **MR. ISRAEL:** Continue your answer.  
[19] **Q:** I think you're being very clear.  
[20] **A:** You're always very nice with me,  
[21] thank you. If I make very not nice mistakes,  
[22] please, please correct me.  
[23] **MR. ISRAEL:** We're going to have a  
[24] chance also to read the transcript  
[25] afterwards to make any corrections, okay.

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[1] **V. Voronchenko**  
[2] **A:** Okay son-in-law. And I was in very  
[3] difficult position. I paid 55 — no, \$50,000 for  
[4] him, you know, I don't remember how much exactly,  
[5] and I understood in one month this money for  
[6] nothing. But I was in very difficult condition,  
[7] no? And I have three — three — three reasons  
[8] why I stopped to work with him.  
[9] **One reason:** I made mistakes, they  
[10] are not designers for the art deco style, this is  
[11] the first reason.  
[12] The second reason — they are not  
[13] ready for this style. Second reason extremely  
[14] slow, extremely slow. I can't — I can't — we  
[15] send them some official letters about please,  
[16] please, please, you promise in 1st of October,  
[17] but now it's November, you promised 15th of  
[18] November, now it's December, something  
[19] la-la-la-la-la-la. So this is the two main  
[20] reasons.  
[21] And last reason is this guy started  
[22] divorce with daughter of my friend. And this  
[23] divorce was not — I don't want to be involved in  
[24] this private life. But a happy divorce — it was  
[25] not so nice. And for me, even for moral

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[1] **V. Voronchenko**  
[2] situation, you know, it was — it was not so  
[3] comfortable, you know, this situation. Because  
[4] he's my — he's my friend, my designer  
[5] ex-son-in-law and very difficult relations with  
[6] daughter of my friend, you know. But this is  
[7] like moral question. But it was the same problem  
[8] for me.  
[9] When I stopped to work with them I  
[10] thought I lost 55,000 and he — he has money much  
[11] more than he did for this project, you know. And  
[12] I was absolutely disappointed when he sent this  
[13] letter to ask me to pay him the full amount  
[14] because full amount I have to pay him when the  
[15] apartment in this condition, what you say? What  
[16] you saw couple of days ago, you know, it's a lot  
[17] — a lot — a very hard everyday work, years more  
[18] than — more than one year's every — everyday  
[19] job, because every piece from the apartment from  
[20] different countries, from different — most of  
[21] them European furniture. 99 percent of furniture  
[22] — all details in apartment, what you saw, this  
[23] is from Europe, because American don't produce  
[24] this style, and you know about this art deco  
[25] style, it's more to European taste than to —

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[1] **V. Voronchenko**  
[2] more close to European taste than to American  
[3] taste.  
[4] And — and I was — I don't have big  
[5] experience in process like this in United States,  
[6] you know, I — I didn't even understand how it's  
[7] possible to ask the full money when you make the  
[8] job for 10 percent, you know, or 8 percent or 12  
[9] percent. Because, okay, he prepared for me  
[10] the — the pictures of the — pictures of the  
[11] walls, what you saw, as told me, my wife or  
[12] somebody, Steve was in the apartment oh, this is  
[13] stolen design, stolen design, stolen design.  
[14] Okay, the — I spented for him a lot of time to  
[15] explain me why the picture of everything that I  
[16] need.  
[17] Finally when I — when I find  
[18] something like more or less good details, you  
[19] know, and he prepared for me just like a — like  
[20] a picture, you know, like this, like that. After  
[21] this, if you want to do this, you need to produce  
[22] hundred kilos of blueprints because the factory  
[23] he — they doesn't — they don't care about the  
[24] design. They need the blueprints, you know, how  
[25] thick, how long, how this, how that. It's huge,



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**V. Voronchenko**

[1] big, big, big, job for whole apartment, you know,  
[2] how is the door, how is the stone, how  
[3] is — everything details, you know, they  
[4] didn't — they didn't do this, you know, and this  
[5] is a very short story how it happened.  
[6] You know, if this is not the  
[7] son-in-law of my friend, you know, believe me, I  
[8] ask him to give me money back, you know, this  
[9] money back, what I paid him, \$55,000. I didn't  
[10] do this only because, you know, I don't want to  
[11] be involved with this family situation. I did  
[12] not — I didn't want even to touch this, this  
[13] is — you know, believe me, you cannot believe  
[14] me, but it is story like this. It is not  
[15] question for me. It is a very unpleasant  
[16] situation, you know. You understand everything.  
[17] **Q:** Thank you. There was one part which  
[18] I may not have understood. The part where you  
[19] were saying in order to actually build the  
[20] panelling and the various decorations in the  
[21] apartment, you need specific blueprints. Are  
[22] you —  
[23] **A:** Yes.  
[24] **Q:** Are you saying that Triarch didn't

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**V. Voronchenko**

[1] provide you with the blueprints that you would  
[2] need to prepare those kinds of decorations?  
[3] **MR. ISRAEL:** Not decorations, I  
[4] don't think he used the word "decorations."  
[5] Look, I'm sorry, I don't mean to —  
[6] **A:** Yeah, could you repeat?  
[7] **Q:** Sure.  
[8] **MR. MANDEL:** It seems he doesn't  
[9] understands the questions you don't like  
[10] anyway.  
[11] **Q:** You said blueprints are necessary to  
[12] renovate the apartment, right?  
[13] **A:** Yes, it's a lot of necessary to buy  
[14] everything, you know, to find everything, and  
[15] to — to fix everything. It's a lot — a lot of  
[16] job.  
[17] **Q:** Right. Did Triarch give you the  
[18] blueprints that the Italian factory needed?  
[19] **A:** No, no, of course not.  
[20] **Q:** Are you sure about that?  
[21] **A:** As I know, no. As I know, no.  
[22] **Q:** And have you personally ever looked  
[23] at blueprints that Triarch did provide you?  
[24] **MR. ISRAEL:** Objection.

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**V. Voronchenko**

[1] **MR. McKEE:** Objection to form.  
[2] **MR. ISRAEL:** Misstates testimony.  
[3] **A:** I didn't see.  
[4] **Q:** What?  
[5] **A:** You mean personally?  
[6] **Q:** Have you seen them yourself, with  
[7] your own eyes?  
[8] **A:** It's not my job. I didn't want to  
[9] even see this because it's for what I don't  
[10] understand anything in this technical — in this  
[11] technical situation.  
[12] **Q:** Sure.  
[13] **A:** Listen, how — how — how they give  
[14] some blueprints, we changed a lot after when they  
[15] stop, we change architectural situation, you  
[16] know, a lot. It's completely changed.  
[17] It's — it's absolutely new. We started  
[18] with — with the new job, because we canceled —  
[19] for year, we cancel the — the wall between  
[20] living room and dining room. We canceled  
[21] door — door in two dining room. If you showed  
[22] me your first blueprints, your first drawing I  
[23] saw yesterday or before yesterday, the  
[24] architectural plan in website of Triarch —

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**V. Voronchenko**

[1] **MR. ISRAEL:** Go ahead.  
[2] **A:** — and this is architectural plan,  
[3] it's a lot of the — of changing of what we have  
[4] now, a lot of changing. It's big changing. Big,  
[5] big changes, you know. And for this new  
[6] architecture plan anyway we need everything —  
[7] everything new one. Because another sizes,  
[8] another everything, you know, because when you  
[9] cut it, when you — when you take out huge wall,  
[10] when you cut out — take out the three parts of  
[11] another walls, you know, it's — it's not  
[12] working.  
[13] **Q:** Were any of Triarch's drawings given  
[14] to anyone else who worked on the apartment?  
[15] **A:** I don't know. I'm talking with them  
[16] about design. I'm talking — I spoke with them  
[17] about design and decorations, this is what I  
[18] am — I — I interested, not about other things.  
[19] I had problem with them, not about blueprints. I  
[20] had problem with them about design and time.  
[21] This is a problem.  
[22] **Q:** When you first — when you first  
[23] began this project, did you have an understanding  
[24] as to how long the project would take?

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V. Voronchenko

[1] A: No. I wanted — supposed to do this  
[2] as soon as possible, like everybody, you know.  
[3] Q: You wanted it done right away?  
[4] A: As soon as possible. But —  
[5] Q: But — sorry, I didn't mean to  
[6] interrupt.  
[7] A: No, no. I finished.  
[8] Q: Did you have an understanding as to  
[9] what a realistic amount of time for the  
[10] renovation and decoration to take?  
[11] A: Listen, when I can't move with the  
[12] first step, as we started with the Triarch what I  
[13] am — what I am looking for the future, you know.  
[14] If we spend five months just to see the picture  
[15] of the three rooms, what is my future with them?  
[16] Q: Sure, sure. I'm just trying to  
[17] understand when you started the project if you  
[18] had any understanding as to what a realistic  
[19] amount of time for the project to take would be.  
[20] A: When I started the project?  
[21] Q: Yes.  
[22] A: Not really. Not really. As any  
[23] person, I wanted to do this as soon as possible.  
[24] But I never think about when.

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V. Voronchenko

[1] Q: Now, early on you spoke to the  
[2] people who did the apartment upstairs, right?  
[3] A: Yes.  
[4] Q: And you didn't like what they told  
[5] you about how long it would take, right?  
[6] MR. ISRAEL: Objection.  
[7] A: It's no — because they told me we  
[8] need to finish first of all apartment upstairs,  
[9] you have to wait something, you know, after this,  
[10] we will start to do with your apartment.  
[11] Q: I see.  
[12] A: This is, you know — they promised  
[13] me to finish this apartment in a couple of months  
[14] but, you know, like — you know, this story with  
[15] builders, it's usually, usual, any country in the  
[16] world, they promise to finish you tomorrow, you  
[17] see the finish in one year later. You know, this  
[18] is — this is — they were like — they were very  
[19] professional. They had experience in this  
[20] building, and they had layout, nice layout and it  
[21] was very good for me. But when they told me  
[22] let — let us finish that apartment, after this  
[23] we will start with you, with your apartment.  
[24] Q: You wanted someone who could start

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V. Voronchenko

[1] right away?  
[2] A: Of course I wanted to start it.  
[3] Q: Did you and Garth discuss how long  
[4] the project would take?  
[5] A: No.  
[6] Q: Did you tell Garth that it was very  
[7] important that it be done as soon as possible?  
[8] A: Listen, when you talk to any  
[9] builder, everybody understand everybody needs  
[10] this immediately, even before yesterday, it's  
[11] like part of the game, you know. Of course we  
[12] did, we didn't discuss about this because it's  
[13] understandable, nobody wants to do  
[14] this — continue this for 10 years.  
[15] Q: When you started working with  
[16] Triarch did you have a discussion with Triarch  
[17] about how long the project would take?  
[18] A: I think probably yes. I don't  
[19] remember exactly, you know, what is payout, but  
[20] this — this, you know, as soon as possible, you  
[21] know. The conversation always like this, as soon  
[22] as possible.  
[23] Q: Did Triarch agree that the project  
[24] would be done by a certain date?

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V. Voronchenko

[1] A: When you start — when you start to  
[2] work with builders or designers, they promise you  
[3] what you want, what you want to hear, you know,  
[4] always like this.  
[5] But when you ask him, please, could  
[6] you sign the exact date and after that date you  
[7] will pay the penalty, they never will sign this  
[8] contract, never, never, never, never, you know.  
[9] But when you start to work with him,  
[10] if you me — if you tell them I want you to  
[11] finish tomorrow, they will say, okay, we will  
[12] finish tomorrow, but they — as usual, they don't  
[13] have any obligations.  
[14] MR. McKEE: Evan, when you reach a  
[15] point when we can take a short break.  
[16] THE WITNESS: What?  
[17] MR. ISRAEL: He's not talking to  
[18] you, he's talking to him.  
[19] MR. MANDEL: Sure.  
[20] Q: I understand —  
[21] MR. MANDEL: Withdrawn.  
[22] Q: Sitting here today, do you have any  
[23] recollection of having any actual conversation  
[24] with Triarch about how long the project would

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[1] **V. Voronchenko**  
[2] take?  
[3] **A:** Did I — did I talk to them how long  
[4] this will continue on the project?  
[5] **Q:** Yes.  
[6] **A:** Very unusual question. I think  
[7] I — I think yes, of course.  
[8] **Q:** Okay.  
[9] **A:** I think yes, we spoke about this.  
[10] **Q:** Did you say to Triarch I want this  
[11] done by a very specific date?  
[12] **A:** Of course, yes.  
[13] **Q:** Okay. And what was that date?  
[14] **A:** I don't remember.  
[15] **Q:** Okay.  
[16] **A:** I don't remember. But of course  
[17] yes, we always — you try to push the builder  
[18] to — you know, with the strong you have to  
[19] finish as soon as possible, if not  
[20] la-la-la-la-la-la. It is always they tell  
[21] you, don't worry, we will do everything in right  
[22] time.  
[23] **Q:** What did Triarch say when you  
[24] proposed a specific date?  
[25] **A:** We will do everything. Don't worry.

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[1] **V. Voronchenko**  
[2] **Q:** Did they promise?  
[3] **A:** Sleep, sleep well, don't worry,  
[4] sleep well.  
[5] **Q:** Did Triarch promise to complete the  
[6] job by a certain date?  
[7] **A:** Listen, I had — I think we  
[8] had — no, we tried to ask me about situation  
[9] like four years ago, it was, I think, really four  
[10] years ago when I worked with Triarch and always  
[11] you are looking to finish everything in one year,  
[12] you know. Always it's like this, as I remember.  
[13] You know, I am not sure about my answer, but  
[14] always people look to finish one year.  
[15] But when I understood in five or six  
[16] months I only — have only pictures, you know,  
[17] for three rooms, I understood this period is  
[18] not — it's like — it's like a joke. I worked  
[19] with him like five months, you know. In five  
[20] months we didn't have — we didn't have  
[21] furniture, we didn't have — we didn't have  
[22] nothing, you know, just pictures, that's it,  
[23] pictures for three rooms.  
[24] **MR. MANDEL:** If now is an all-right  
[25] time, why don't we take a break.

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[1] **V. Voronchenko**  
[2] (Time noted: 10:48 a.m.)  
[3] (A brief recess is taken.)  
[4] (Time noted: 10:57 a.m.)  
[5] **Q:** I know before the break I asked you  
[6] a number of times about conversations that you  
[7] had with Triarch about how long the project would  
[8] take.  
[9] Other than what you testified to  
[10] before, do you have any recollection of any  
[11] conversations that you had with Triarch about how  
[12] long the project would take?  
[13] **A:** I told you I think we spoke about  
[14] one year, all together.  
[15] **Q:** Do you remember if the project, the  
[16] whole project, was going to take one year, how  
[17] long would it take to get all the drawings  
[18] together?  
[19] **MR. ISRAEL:** Objection.  
[20] You can answer, if you understand.  
[21] **A:** Listen, if one year, if one year all  
[22] the project, everything has to be ready in one  
[23] month. But after five months, we didn't have  
[24] even the pictures of all the rooms, just — just  
[25] a couple, couple, just several rooms.

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[1] **V. Voronchenko**  
[2] **Q:** Do you think it's possible to  
[3] prepare drawings for all of the rooms more  
[4] quickly than four months?  
[5] **A:** Listen, I am talking — I am talking  
[6] not about the blueprints, I am talking about the  
[7] final design of all apartment. Blueprints, this  
[8] is a second story, this is a future, you know.  
[9] For the beginning we need to have all design for  
[10] all apartments. After this when — when the  
[11] whole design is accepted, you know, all materials  
[12] for all — all apartment is — is fine, not for  
[13] one or two or three room, for all apartment,  
[14] after this we can talk about the blueprints,  
[15] because before the whole design is not accepted,  
[16] and nobody — nobody do blueprint, for what  
[17] reason. Because, you know, you — you can change  
[18] the idea, you can change the design, you know,  
[19] you can — you can — very often like this you  
[20] start — you have ten rooms, you know, you did  
[21] the design of four rooms, when you started to do  
[22] something with the — another rooms, you know you  
[23] find something — some new idea, very good idea  
[24] and you — you did this another five rooms, you  
[25] change first five, first four or five rooms, you

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[1] **V. Voronchenko**

[2] know. It is working like this, because it has to  
[3] be like whole design, it's working in any  
[4] countries and any companies the only one way,  
[5] whole design, the like — album, not album.

[6] **Q:** Like a book?

[7] **A:** I can — like a book, it has to be  
[8] like a book with full design of the apartment, it  
[9] has to be final signature on full design of  
[10] apartment, and another book with the — all  
[11] materials for whole apartment, you know.  
[12] It's — it has to be another book. As far as the  
[13] kitchen, the kitchen, you have to put in this  
[14] book piece of plumber and marble, piece of wood,  
[15] piece of drapery, piece of floor, piece of  
[16] la-la-la-la, you know, and it has to be  
[17] something like this. You sign everything, you  
[18] sign — you have to sign first book, you have to  
[19] sign second book, after this you have to go over  
[20] the blueprints. This is it. This is like a  
[21] bible, you know. It's not working like this  
[22] because people very often change during this  
[23] process, the design here, here, and here. And it  
[24] was — it was not done. I never saw the time  
[25] design of whole — all apartment. If you check

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[1] **V. Voronchenko**

[2] all your papers of what they gave you from the  
[3] beginning, you will see that definitely they  
[4] don't have any design of bedrooms, and bathrooms,  
[5] and the kitchen, and we have another design of  
[6] even foyer, living room and dining room because  
[7] we completely changed the layout in this part of  
[8] the apartment.

[9] **Q:** When you —

[10] **MR. MANDEL:** Withdrawn.

[11] **Q:** When Triarch was working for you,  
[12] was the kitchen going to be renovated?

[13] **A:** Everything.

[14] **MR. ISRAEL:** You mean when Triarch  
[15] was working for Medallion, you mean?

[16] **MR. MANDEL:** Yes, yes.

[17] **Q:** When Triarch was working on the  
[18] project was —

[19] **A:** Everything — everything has to be  
[20] changed, no — when you started project like  
[21] this, as you saw, how it's possible to — I have  
[22] allergy for air conditioning. Everything has to  
[23] be changed.

[24] **Q:** Did you and Triarch ever talk about  
[25] the kitchen?

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**V. Voronchenko**

[1] **A:** Listen, we — we stuck with them  
[2] with these three rooms, you know, we never  
[3] continue, we never go to — to ahead, because we  
[4] just spoke from the beginning, you know. We know  
[5] it's all the process you are talking about, this  
[6] room, this room, that room, that room and the  
[7] room by room, you know, we — we — we was  
[8] divorcing after three rooms.

[9] **Q:** Was the plan to start designing some  
[10] rooms and then continue designing other rooms,  
[11] was that the plan?

[12] **A:** No. Listen, it's not — it's not a  
[13] plan I order — or as my lawyer tells me  
[14] Medallion ordered, it has to be final full plan.  
[15] I am not interested, you know, to see like a  
[16] small detail this wall or that wall. Of course  
[17] I'm interested, but I see it — when I  
[18] can — when I can tell you I am happy, when I see  
[19] all — all the project, because all the project  
[20] has to be in one way, in one feeling, in one  
[21] design. Only after this, you understand, you are  
[22] happy or you are not happy. This is a successful  
[23] project or not successful project. You can say  
[24] anything is design of two or three rooms. You  
[25]

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**V. Voronchenko**

[1] have to take the feeling of the final design,  
[2] final, final — it's like no — you tell me you  
[3] want to make the suit, you know, your question is  
[4] you're a professional guy, you did this part and  
[5] that part, you know, and you can ask me how it  
[6] looks, it was beautiful suit or not, I don't  
[7] know. Because he just contracted me this part of  
[8] the suit and that is it. And the same — the  
[9] same situation with design and decoration. You  
[10] know, even when you buy the furniture, you can't  
[11] make any decision with one, two or three items.  
[12] You can find all items to put it all together,  
[13] you know, and make that only after this, you can  
[14] make final decision, is it right choice for  
[15] furniture or you need to change everything, you  
[16] need to change some part of situation.

[17] **Q:** Did you ever tell Triarch not to  
[18] renovate the kitchen?

[19] **A:** Listen, it was — it was — I don't  
[20] even understand, they have to make everything,  
[21] all the apartment, not the — not this room, yes,  
[22] a toilet not or separate.

[23] You saw the apartment. The  
[24] apartment is maybe not the best, you know, but  
[25]

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[1] **V. Voronchenko**  
[2] it's more or less okay. Do you agree with me?  
[3] Everything is changed, even the elevator door.  
[4] **Q:** Right.  
[5] **A:** But even elevator door changed, how  
[6] can I tell them no, no, no, kitchen is  
[7] not — old, dirty kitchen, don't touch this.  
[8] **Q:** It's possible to redo some rooms but  
[9] not others?  
[10] **A:** No, not possible. Not possible  
[11] because you — when you just paint the walls,  
[12] there is one story, but when you invest some  
[13] money, you know, you have to change — you have  
[14] to repair whole apartment. It's impossible to do  
[15] one room and not touch another room. You  
[16] understand what happened? How — how it will  
[17] look?  
[18] **Q:** So what did you tell Triarch that  
[19] you wanted to do to the kitchen?  
[20] **A:** We never spoke about the kitchen.  
[21] We spoke about whole apartment, whole apartment.  
[22] They had obligation to do whole apartment. I  
[23] don't remember our contract because I saw this  
[24] contract four years ago last time. But as I  
[25] understand, the contract is impossible to

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[1] **V. Voronchenko**  
[2] be — you have to do three rooms and not touch  
[3] another five rooms. It's impossible, as I feel  
[4] it. Maybe it's my mistake. But if you take  
[5] the — let's — let's check the contract, maybe  
[6] if it's convenient for you right now.  
[7] **Q:** And did you and Triarch have any  
[8] conversations about the girl's bedroom?  
[9] **A:** Again, we spoke about whole  
[10] apartment.  
[11] **Q:** Right.  
[12] **A:** Whole, all apartment has to be in  
[13] contemporary art deco style. Whole apartment. I  
[14] am not mentally sick person, you know. You tell  
[15] me it's — half apartment is contemporary art  
[16] deco, another part is no repairing, yes. Did you  
[17] see like this in your life? Me, no. Me, never.  
[18] I saw no repairing, I saw bad repairing, but it's  
[19] always similar, or similar good or similar not so  
[20] good or similar bad. But not partitions, you  
[21] know.  
[22] **Q:** You told Triarch that you wanted the  
[23] whole apartment to be contemporary art deco,  
[24] correct?  
[25] **A:** Absolutely.

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[1] **V. Voronchenko**  
[2] **Q:** And you had some specific  
[3] discussions with Triarch about the library,  
[4] correct?  
[5] **MR. ISRAEL:** Objection.  
[6] You can answer.  
[7] **A:** We — we — we — again, again, I  
[8] don't even — I understand what you're asking,  
[9] what is a specific discussion? I had specific  
[10] discussion about the style of the apartment, not  
[11] about specific discussion about this wall or that  
[12] wall. I want to see the whole apartment, how its  
[13] play in the general, you know, how its play my  
[14] kids' bedroom with living room, you know. It has  
[15] to be one idea. It has to be like one — one  
[16] body, you know, one body. It's not can be like a  
[17] two or three bodies —  
[18] **Q:** Sure.  
[19] **A:** — in one apartment.  
[20] **Q:** Sure. You made very clear you want  
[21] the whole apartment —  
[22] **A:** Whole apartment.  
[23] **Q:** — to be contemporary art deco. I  
[24] totally understand that.  
[25] **A:** Yes.

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[1] **V. Voronchenko**  
[2] **Q:** And in addition to having that  
[3] conversation about what you wanted from the whole  
[4] apartment, you also could have had conversations  
[5] about specific rooms. And that is what I'm  
[6] asking about now.  
[7] **A:** Specific rooms? I want to tell you,  
[8] I showed him I want to make this doors, I gave  
[9] him the architecture plan, I — it is our  
[10] architecture plan, not their architecture plan.  
[11] **Q:** Which plan are you referring to?  
[12] **A:** This plan that they put it on his  
[13] website, this is not his plan, this is our plan,  
[14] with Garth with — with guys who made upstairs,  
[15] and — we gave to Triarch this plan and, you  
[16] know, I put it — I want to have it here,  
[17] here — this is — I want to make the door. You  
[18] see the plan. You see the plan. Here I want to  
[19] put the biblioth que.  
[20] **Q:** The library?  
[21] **MR. ISRAEL:** Just write "library."  
[22] **A:** And that's it, I know. And I want  
[23] to use this wood, why this wood, because  
[24] palisander, they didn't even here about this wood  
[25] before me. Why palisander? Because palisander,

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**V. Voronchenko**

[1] I may be the biggest collector the Russian  
[2] icons in enamel, you know, I have the biggest,  
[3] the best in the world of collection of Russian  
[4] items. And the palisander, this is a typical  
[5] wood for very expensive and rare Russian icons.  
[6] They're professional people did the icons like 3,  
[7] 400 years ago, 200 years ago from palisander, and  
[8] I told him I want to use palisander.

[9] **Q:** Did you ultimately —

[10] **MR. MANDEL:** Withdrawn.

[11] **Q:** Did you use palisander in the  
[12] apartment?

[13] **A:** Very wrong. I change decision after  
[14] this. I just — I just on the library, just  
[15] part, small part of the library I use palisander  
[16] because I didn't line — I didn't like the color  
[17] of palisander, you know, because in Russia we  
[18] have another material than here. Here — in  
[19] Russia, palisander is more dark, natural. Here  
[20] it's more light and more red. I don't like this,  
[21] you know. Why am I talking you about this —  
[22] about this? Because you made some decision, you  
[23] know, but when you see the whole thing all  
[24] together, you know, you are — you start to

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**V. Voronchenko**

[1] understand this is a mistake.

[2] Why are people always look for  
[3] final, final drawings and final project? If  
[4] they — if they finished for me 100 percent final  
[5] project, you know, with these two books, one  
[6] books with all drawings for whole apartment, for  
[7] whole material for apartment.

[8] This case yes, they did some job.  
[9] Even in this case not final job, not for 200,000  
[10] because they has to — after this prepare two  
[11] books they have to prepare all blueprints, they  
[12] have to buy — you can't imagine how many hours  
[13] and days you have to spend to buy all of these  
[14] items what you saw in the apartment. Because  
[15] they have to propose this to me, they propose me  
[16] 20 piece, I don't like all 20. If they propose  
[17] me another 20, I don't like all 20.  
[18] Third — third time, oh, I like this. You know,  
[19] it's a huge, huge big job.

[20] As you saw in apartment, we have  
[21] clever, clever home. You know everything is  
[22] iPad. You can do what you want in the apartment  
[23] through iPad, every room iPad.

[24] They — they must to organize this

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**V. Voronchenko**

[1] job, you know, they must organize all  
[2] the — where is the some lights, what kind of  
[3] lights to find this lights all of these lights  
[4] from Europe, not from America, from very exotic,  
[5] small companies, you know. It's a huge job.

[6] This job is for the time, how many  
[7] hours you need to spend for this time, it's much  
[8] more than even to prepare these two books, full  
[9] two books, because this is — two books is only,  
[10] you know, this is like part of — part of the  
[11] job.

[12] What — what did the technical thing  
[13] another time and Libracon another, they did  
[14] another job, their job, you know, their job.

[15] If they — if they ask me, Vladimir,  
[16] you pay us 55 or 50,000, but, you know, we are  
[17] looking for another 10,000, maybe — maybe I talk  
[18] okay, this question is situation is family, okay  
[19] take 10,000 or 15,000 and that's it, you know.  
[20] And finish.

[21] But when the people ask me for the  
[22] whole amount of the money, when they — another  
[23] people spend it a lot of time to finish this  
[24] project, how it's possible to even talk about

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**V. Voronchenko**

[1] this? You know, it's not fair. It's not a  
[2] question of the money. It's not fair, for me  
[3] personally.

[4] **Q:** Would you feel —

[5] **A:** I tried to help him, you know.  
[6] Because my friends — you know, it's always like  
[7] this, don't do anything good for your friends,  
[8] and you never have headache. When you started to  
[9] try to do this, you have situation like I have

[10] here, and I am talking with you now.  
[11] **Q:** Would you feel differently if, in  
[12] fact, Pepe Calderin and Garth and Libracon had  
[13] copied Triarch's drawings?

[14] **MR. ISRAEL:** Objection.

[15] **MR. McKEE:** Objection.

[16] **A:** They copied —

[17] **MR. ISRAEL:** He's saying would  
[18] you — would your answer be different if  
[19] they copied.

[20] **THE WITNESS:** I understand.

[21] **A:** But for what they need to copy?  
[22] Tell me. If I have all material, I can send all  
[23] of this to factory and they don't need to do  
[24] anything, they don't have the job.

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**V. Voronchenko**

[1] **Q:** Yes. I'm just asking, if, in fact,  
[2] Libracon and Garth and Pepe Calderin had copied  
[3] Triarch and their design included a lot of work  
[4] that Triarch had actually done, would you feel  
[5] differently about what is fair in this case?  
[6] **MR. McKEE:** Objection.  
[7] **MR. ISRAEL:** Objection.  
[8] If you understand you can answer. It  
[9] was a complicated question. If you  
[10] understand, you can answer.  
[11] **A:** I try to repeat your question. If  
[12] Triarch — if Pepe and Libracon took the — used  
[13] Triarch blueprints, I don't know, and I think  
[14] it's impossible because we changed the  
[15] architectural layout.  
[16] When you change architectural  
[17] layout, even if you have the blueprints, you have  
[18] to change all blueprints. It was absolutely  
[19] another sizes, you know, another sizes. This is  
[20] a — this is a problem.  
[21] **Q:** Sure.  
[22] **A:** And —  
[23] **Q:** There were changes made in the  
[24] design of the apartment after Triarch stopped  
[25]

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**V. Voronchenko**

[1] working on it, right?  
[2] **MR. ISRAEL:** Objection.  
[3] **A:** No, when — when we started to talk  
[4] with — when I worked with Triarch we spoke about  
[5] new design, you know, we spoke about this, to  
[6] change this, but I understood it's impossible  
[7] with them, because very, very slow, because they  
[8] did everything very, very slowly.  
[9] **Q:** Okay. You think that Libracon and  
[10] Garth Hayden and Pepe Calderin did not copy  
[11] Triarch that much, I think you made very clear.  
[12] **A:** I don't know, sorry. I never tell  
[13] you.  
[14] **Q:** You don't know one way or another?  
[15] **A:** I don't know about this. I am not  
[16] involved to — to keep this materials and to send  
[17] to them.  
[18] **Q:** And you've never compared Triarch's  
[19] drawings to, say, Garth Hayden's drawings?  
[20] **MR. ISRAEL:** Objection.  
[21] **A:** Sorry, again?  
[22] **Q:** Have you ever held Garth Hayden's  
[23] drawings next to Triarch's drawings and said are  
[24] these similar in any way? Have you ever —  
[25]

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**V. Voronchenko**

[1] **A:** Listen, I did this, I never do this,  
[2] to see the difference between this.  
[3] **Q:** Okay. Understood. So my question  
[4] is —  
[5] **A:** I took — I took his first pictures  
[6] for this, I used them, but I paid for them, more  
[7] than I must, you know. I — I paid for this  
[8] picture 55,000, it's not cost like this.  
[9] **Q:** So you used —  
[10] **MR. MANDEL:** Could we get that  
[11] book — the book of renderings. Thank you.  
[12] **Q:** I'm going to hand you what has  
[13] previously been marked as plaintiff's —  
[14] **MR. MANDEL:** This is not it.  
[15] **A:** I spent a lot of time —  
[16] **MR. ISRAEL:** There is no question,  
[17] there is no question. Let him ask a  
[18] question first.  
[19] **THE WITNESS:** Okay.  
[20] **Q:** I'm going to hand you what has been  
[21] marked as Defendant's Exhibit 4. I'm going to  
[22] ask you, are these the pictures that you took and  
[23] used?  
[24] **MR. ISRAEL:** Objection.  
[25]

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**V. Voronchenko**

[1] **A:** Okay. What — what I have to say to  
[2] you, tell me?  
[3] **Q:** Earlier you testified that you took  
[4] and you used some photos or some pictures from  
[5] Triarch. And my question is, are these the  
[6] pictures that you took and used?  
[7] **MR. ISRAEL:** Objection. Misstates  
[8] testimony.  
[9] You can answer if you understand.  
[10] **A:** Again, you showed me three rooms.  
[11] Three rooms. Yes? Just all of this — all of  
[12] this one is just three rooms from the apartment.  
[13] Dining room. And — you understand what I mean?  
[14] **Q:** Maybe four rooms, dining room,  
[15] living room, foyer, library and master bedroom,  
[16] five rooms?  
[17] **A:** No, no, no, no. Sorry. Bedroom we  
[18] changed, and bedroom is completely like upstairs.  
[19] And Garth gave them the — the plan before. We  
[20] gave to Triarch, they had the plan. The bedroom,  
[21] my bedroom, and before we start to work with  
[22] them, you know. And if you see the design of  
[23] master bedroom, design is completely different.  
[24] We — again, we are talking about — about three  
[25]

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[1] **V. Voronchenko**  
[2] rooms. What really what I took from them, that's  
[3] it, you know, this is it. All their drawing.  
[4] **Q:** So —  
[5] **A:** Some of them —  
[6] **Q:** So the record is clear, those are  
[7] pictures of the foyer, right? Those are  
[8] renderings of the foyer?  
[9] **A:** This is completely another one,  
[10] because we completely changed the architectural  
[11] plan, completely changed.  
[12] Better to see the architectural plan  
[13] with the — later and with the Triarch, and I can  
[14] show you what — what is the difference. Is it  
[15] possible?  
[16] **Q:** Sure. We can definitely look at  
[17] that.  
[18] How about, you're looking there at  
[19] renderings of the library, did you use those  
[20] renderings in any way?  
[21] **MR. ISRAEL:** Just note my objection.  
[22] You can answer.  
[23] **A:** This is a — not really, you know  
[24] why, because we changed — change a lot. Here  
[25] the library is like — like a library,

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[1] **V. Voronchenko**  
[2] just — just how it's called?  
[3] **MR. ISRAEL:** Bookcases.  
[4] **A:** Yeah. Just bookcases. We put it  
[5] here two huge line, beautiful Lalique glass, this  
[6] is really design and decoration, here is nothing,  
[7] just book — bookcases. And that's it.  
[8] **Q:** How about the ceiling?  
[9] **A:** Ceiling, yeah. Ceiling we have  
[10] similar, because I spoke with him, I spend for  
[11] them a lot of time showing them a lot of  
[12] magazines and pictures, a lot. They did what I  
[13] want. You know, this is really my design, not  
[14] their design.  
[15] **Q:** Okay. So —  
[16] **A:** My design.  
[17] **Q:** I understand. So plaintiff's —  
[18] excuse me, are Defendant's Exhibit 4, and I will  
[19] say that is how I'll refer to things today, there  
[20] will have a ticker with a number and it will  
[21] either be plaintiff's exhibit or defendant's  
[22] exhibit.  
[23] **A:** What do you mean, the plaintiff's?  
[24] What does it mean?  
[25] **Q:** That is just a way to identify for

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[1] **V. Voronchenko**  
[2] the record. That sticker is a way to identify  
[3] for the record which document you're talking  
[4] about.  
[5] **MR. ISRAEL:** You can verify it with  
[6] me, and I'll verify what he's looking at.  
[7] **A:** Can I have — can I have — I want  
[8] to show you even here.  
[9] **MR. ISRAEL:** You can't write on it.  
[10] Unless you want him to write on it.  
[11] **MR. MANDEL:** No. I don't  
[12] think — we can make copies, if that is  
[13] necessary of something.  
[14] **Q:** Mr. Voronchenko, I'm sure you have a  
[15] lot to say. Let me start with one question.  
[16] **A:** It's — it's — even in this area,  
[17] it's completely another architectural plan.  
[18] Completely another architectural plan. To show  
[19] you by — can I show —  
[20] **MR. ISRAEL:** He doesn't want you to  
[21] write.  
[22] **THE WITNESS:** No, I won't.  
[23] **MR. ISRAEL:** Let me put the needle  
[24] down.  
[25] **A:** Okay. As you see, for example, you

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[1] **V. Voronchenko**  
[2] have elevator, you have elevator lobby, do you  
[3] see?  
[4] **Q:** Yes.  
[5] **A:** Like in every apartment. Elevator  
[6] lobby, and after this we have hall. Now, no this  
[7] wall, no this and no this. We have one full  
[8] room. The entrance to the apartment directly  
[9] from the — directly from the elevator. Do you  
[10] understand? Yes?  
[11] **Q:** Yes.  
[12] **A:** This is no wall here. All of this  
[13] area no walls. We — we take out all of these  
[14] things, take out this, this wall, take out that  
[15] wall, and now it looks like this, boom, boom,  
[16] boom, like a big square room. Not all of this  
[17] details.  
[18] We cut this door, now it's no doors  
[19] here. Just column here.  
[20] Here, we just leave this place where  
[21] there is TV, if you remember. Here, no walls.  
[22] And completely another design of the master  
[23] bathroom, you know.  
[24] And this main idea of the — of the  
[25] closets, you know, in the — this is a completely



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[1] **V. Voronchenko**  
[2] different design. Design here is completely  
[3] different than design of Garth. This is — I  
[4] gave him —  
[5] **MR. ISRAEL:** You mean Triarch?  
[6] **A:** Triarch. Sorry. Triarch.  
[7] I gave him this — we had with Garth  
[8] idea before Triarch, and we gave them — we have  
[9] documentation for this. We gave him this  
[10] drawing. This is our drawing. We gave him this  
[11] ready drawings to use. After — after Triarch,  
[12] we changed, we changed. We changed all of this  
[13] main area.  
[14] **MR. ISRAEL:** Give me this one, one  
[15] second.  
[16] Just to be clear, the witness is  
[17] speaking about Defendant's Exhibit 4, and  
[18] it's a page that has in the bottom left  
[19] hand corner a picture that purports to be a  
[20] schematic of the library. And in the  
[21] center of the page there is something that  
[22] is identified as the east perspective.  
[23] **A:** Okay.  
[24] **Q:** I guess now I would just ask, did  
[25] you take anything from Defendant's Exhibit 4 and

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[1] **V. Voronchenko**  
[2] include that in your final design for the  
[3] apartment?  
[4] **MR. ISRAEL:** Objection.  
[5] **A:** Sorry, again?  
[6] **Q:** Sure. Did you take anything from  
[7] this document, from this book, Defendant's  
[8] Exhibit 4, and include that in the final design  
[9] of the apartment?  
[10] **MR. ISRAEL:** Including the things  
[11] he's attributed to Garth, because he just  
[12] testified that he attributed stuff to  
[13] Garth. You mean did he use anything  
[14] including Garth?  
[15] **MR. MANDEL:** Yes. Start with  
[16] anything in this book, and we can have a  
[17] separate conversation.  
[18] **A:** Even with the floor, you see —  
[19] **MR. ISRAEL:** Sorry.  
[20] **A:** — you see the floor, I don't have  
[21] this, but the color of the stone, I — yesterday  
[22] I made the picture to explain you why this is my  
[23] decision to find this floor. Why, I'm going to  
[24] explain to you, because this is a typical art  
[25] deco stone and many years —

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[1] **V. Voronchenko**  
[2] **MR. ISRAEL:** You don't have to show  
[3] him the phone.  
[4] **A:** And many years I have this typical  
[5] art deco sculpture, and you see it in my dining  
[6] room, and I told them, please, do you see this?  
[7] **MR. MANDEL:** The record should  
[8] reflect that Mr. Voronchenko is showing me  
[9] on his iPhone a photograph of a — it looks  
[10] like a sculpture, the base of which is made  
[11] of stone, and it looks like the top of  
[12] which is made of some kind of metal.  
[13] **MR. ISRAEL:** The witness testified  
[14] that he just took this picture yesterday,  
[15] we'll produce it when we have a copy.  
[16] **A:** This is my floor in my apartment.  
[17] **Q:** Now —  
[18] **A:** In my —  
[19] **MR. MANDEL:** He's showing another  
[20] photo now. Mr. Voronchenko says it is the  
[21] floor of the apartment, it's a picture of  
[22] stone, and the stone in the floor of his  
[23] apartment —  
[24] **A:** See.  
[25] **MR. MANDEL:** — appears to be very

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[1] **V. Voronchenko**  
[2] similar to the stone on the base of the  
[3] sculpture.  
[4] **Q:** Let me just ask this question. You  
[5] received this book, that is Defendant's Exhibit  
[6] 4, from Triarch, correct?  
[7] **A:** I saw not like a book. I saw like a  
[8] separate — I never saw the book like book. I  
[9] never saw this book like book. I saw like a  
[10] separate — separate pages, I saw many of them.  
[11] **Q:** The separate pages that you saw, do  
[12] those appear to be the same separate pages that  
[13] are in the book?  
[14] **A:** I think, yes, maybe.  
[15] **Q:** As far as you can tell, they're  
[16] similar?  
[17] **A:** I — it was years ago, I don't  
[18] remember, I don't know. It looks similar, but I  
[19] can't tell you if this exactly exists or not.  
[20] **Q:** Did you take —  
[21] **A:** Because I don't know what they do  
[22] with all of these things before they came to the  
[23] court, you know, they had a lot of times to  
[24] prepare any — any documentation for this.  
[25] **Q:** Did you take those separate pages,

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[1] **V. Voronchenko**  
[2] that are similar to the pages in Defendant's  
[3] Exhibit 4, and show them to any other person?  
[4] **MR. ISRAEL:** Objection.  
[5] You can answer.  
[6] **A:** Sorry?  
[7] **MR. ISRAEL:** What he's asking you is  
[8] when you saw the separate pages that you  
[9] say look like the pages in this book,  
[10] right?  
[11] **THE WITNESS:** Yes.  
[12] **MR. ISRAEL:** If you gave them to  
[13] anyone else, the separate pages?  
[14] **A:** When?  
[15] **Q:** At any time?  
[16] **A:** Yes, I showed.  
[17] **Q:** Who did you show them to?  
[18] **A:** I don't understand.  
[19] **Q:** Which persons did you show them to?  
[20] **A:** Oh, these pages?  
[21] **Q:** Yes.  
[22] **A:** You're asking me somebody showed me  
[23] these pages?  
[24] **MR. ISRAEL:** He wants to know if you  
[25] showed them to anyone else, when?

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[1] **V. Voronchenko**  
[2] **A:** If I —  
[3] **MR. ISRAEL:** If you take the page  
[4] that you got —  
[5] **THE WITNESS:** Yes.  
[6] **MR. ISRAEL:** — and you showed them  
[7] to anyone else, anyone who was involved in  
[8] creating the apartment.  
[9] **A:** I showed to Garth, yes.  
[10] **Q:** Did you show them to Pepe Calderin?  
[11] **A:** I think, yes.  
[12] **Q:** Did you show them to Libracon?  
[13] **A:** I think, yes.  
[14] **Q:** Did you show them to any of the  
[15] people doing construction on the apartment?  
[16] **A:** It's not my deal, I don't know about  
[17] this.  
[18] **Q:** And did you show them to any friends  
[19] of yours?  
[20] **A:** Listen, listen, I am not show  
[21] this — you think I took this paper and go to  
[22] this, to this, to this, no. I invited — I  
[23] invited — I invited new designer, you know, new  
[24] designer. I told him, listen, what I have from  
[25] my previous — previous job which costed 5 —

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[1] **V. Voronchenko**  
[2] 55,000, what I have, that's it, you know.  
[3] I like — I don't like architecture  
[4] drawings. It's very bad. You have to change  
[5] completely, you know. I like some details, could  
[6] you keep for me the walls in this room for doors,  
[7] walls and doors. I want to see this because I  
[8] spent a lot of time to — to find this solution  
[9] and that's it.  
[10] **Q:** So —  
[11] **A:** In many things I much more  
[12] professionally — I have more professional skills  
[13] like in this situation than they are, believe me.  
[14] Sorry about that. Now I am —  
[15] **Q:** So you asked Mr. Calderin to include  
[16] some of the aspects in these pictures in  
[17] Defendant's Exhibit 4 in the design of the  
[18] apartment; is that correct?  
[19] **MR. ISRAEL:** Objection.  
[20] **MR. McKEE:** Objection to form.  
[21] **MR. ISRAEL:** Objection.  
[22] **A:** Objection?  
[23] **Q:** When he objects, you can still  
[24] answer the question.  
[25] **MR. ISRAEL:** You can still answer

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[1] **V. Voronchenko**  
[2] the question.  
[3] **Q:** Unless he tells you not to answer  
[4] the question.  
[5] **MR. ISRAEL:** I'm creating a record.  
[6] I have a problem with the question that he  
[7] asked you, but you still have to answer it,  
[8] if you understand it.  
[9] **A:** Yes. As I told you, when I stopped  
[10] to work with Mr. Calderin, I told him, listen, I  
[11] spent a lot of time, again, I repeat, to find  
[12] this decision, you know, it's not decision of  
[13] Triarch, I spent a lot of my private time because  
[14] I like this job to — to make this some of these  
[15] pictures, you know. I — I send — I showed him  
[16] tens books, hundreds magazine and exact pictures  
[17] of what I like, you know, this, this panelling, I  
[18] like this, I like that, I like this. You know,  
[19] it was our mutual job, all of these pictures.  
[20] Ask Triarch, it was never them. And I asked Pepe  
[21] Calderin, and I want to keep — I want to keep in  
[22] these three rooms, I want to keep walls and  
[23] doors. That's it. But you need to change,  
[24] completely change all design in the — in the  
[25] center of the apartment, in the heart of the

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[1] **V. Voronchenko**  
[2] apartment.  
[3] **Q:** Other than the walls and the doors,  
[4] did you ask Mr. Calderin to use anything else  
[5] that was in Defendant's Exhibit 4?  
[6] **A:** No, just walls and doors.  
[7] **Q:** And did the walls and doors that are  
[8] in Defendant's Exhibit 4 get included in the  
[9] final renovation of the apartment?  
[10] **MR. ISRAEL:** Objection.  
[11] You can answer, if you understand.  
[12] **A:** We changed a lot of this, but we  
[13] use — we used what I told you two times before,  
[14] when I started to work with Calderin, I told him,  
[15] please, in your design, keep these details, walls  
[16] and doors.  
[17] **Q:** Did you —  
[18] **A:** If you need, I can explain this,  
[19] repeat this more times.  
[20] **Q:** I want to be crystal-clear on this  
[21] one point. Other than the walls and the doors,  
[22] was there anything else that you asked  
[23] Mr. Calderin to include in his designs from  
[24] Defendant's Exhibit 4?  
[25] **A:** You asked me the same questions

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[1] **V. Voronchenko**  
[2] before. Again, I can tell you, I ask  
[3] Mr. Calderin to keep design of walls and doors  
[4] for these rooms, these three rooms.  
[5] **Q:** Right. But you've been crystal  
[6] clear on the walls and the doors. I'm asking  
[7] about other than the walls and the doors, was  
[8] there anything else you asked him to use from —  
[9] **A:** If you see another room, for  
[10] example, in master bedroom, absolutely another  
[11] walls, absolutely another doors to the — to the  
[12] master bathroom, absolutely another design in  
[13] kids' bedrooms, absolutely. I didn't have any  
[14] design for the kids' bedroom from him — from —  
[15] from Triarch. I did not have any design from the  
[16] bathrooms from Triarch, any design.  
[17] **Q:** Were you saying absolutely or  
[18] absolutely not?  
[19] **A:** Not. We didn't have. I don't  
[20] understand why we have — they are looking to  
[21] take whole amount for whole amount, they  
[22] have — they must do whole job to ask for me for  
[23] whole amount of money, they have to show me whole  
[24] amount, whole — all their jobs, and I'll pay all  
[25] the money, that's it. You showed me a small part

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[1] **V. Voronchenko**  
[2] of the project and ask me several times did you  
[3] use, did you use, did you use. Yeah, I — as I  
[4] told you, I used — not I used, I tell to Pepe  
[5] Calderin to — to keep this wall and that's it,  
[6] what I took from them.  
[7] **Q:** You told Mr. Calderin to keep the  
[8] walls and the doors for which three rooms?  
[9] **A:** Living room, and for years this is  
[10] one room, because this is one mutual area. I  
[11] mean, this area, dining room and library. And my  
[12] calculation, it's three rooms.  
[13] **Q:** How about the foyer?  
[14] **A:** Foyer together with living room,  
[15] because this is one space. You know, when — now  
[16] one space.  
[17] With the Triarch it was two  
[18] different spaces, because it was doors, doors,  
[19] doors, doors. Now it's one space, as you saw, as  
[20] you saw this. Now it's one space, because we  
[21] completely changed this. We can talk — we can  
[22] talk to ask them give it back, 20,000 from 55.  
[23] **Q:** I'm showing you on Exhibit D-4 the  
[24] pages that refer to the master bedroom.  
[25] **A:** This is absolutely another one, this

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[1] **V. Voronchenko**  
[2] is absolutely another one. This is absolutely  
[3] another one. And this is absolutely another one.  
[4] **Q:** So are there any aspects of the  
[5] master bedroom that you told —  
[6] **A:** This is — this is I gave to.  
[7] **Q:** — told Calderin to use?  
[8] **A:** This I gave to Triarch.  
[9] **Q:** Are you pointing to the closets?  
[10] **A:** Yes. The closets. Because the same  
[11] closets are upstairs in the building, it's very  
[12] easy to make the upstairs, the pictures. And  
[13] this drawings, you see the drawings, where is the  
[14] drawings? Yes. You see the drawings, we gave to  
[15] Triarch these drawings, this is not Triarch in  
[16] here. All the other things absolutely another  
[17] design.  
[18] **MR. ISRAEL:** Just a second, so we're  
[19] talking about Defendant's Exhibit 4, a page  
[20] that says east perspective in the center,  
[21] master bedroom in the left, bottom left  
[22] corner and the witness is pointing to the  
[23] schematic of above the master bedroom.  
[24] **A:** We have everything different. We  
[25] have completely different — look at this, why I

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[1] **V. Voronchenko**  
[2] stopped to work with them. This is night tables,  
[3] has connections with art deco style like me with  
[4] Chinese interpreter, no? It is the same this  
[5] one. There is absolutely not — people don't  
[6] have enough education for art deco style.  
[7] If you ask any professional people,  
[8] is — is it close to even far close to the art  
[9] deco style? Everyone will tell me no. This is  
[10] very far from it. I make these decisions,  
[11] not — and we have completely different design  
[12] here. Completely different design. Completely  
[13] if you show — if you see the master bathroom, it  
[14] is ridiculous, ridiculous what we had before and  
[15] what we have now.  
[16] You know, what is the weak point of  
[17] Triarch, as I understood it? If they asked, for  
[18] example, we are looking — you pay us 55,000 but  
[19] we are looking to take additional 20, 30,000, or  
[20] 40 or 15, why? Because we calculate our — this  
[21] project for three rooms more than 55, this is a  
[22] question of discussion between — you know, but  
[23] when they're asking to take the full amount —  
[24] **MR. ISRAEL:** There is no question  
[25] pending, just wait for him to ask a

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[1] **V. Voronchenko**  
[2] question.  
[3] **THE WITNESS:** Just this is when  
[4] they're asking for full amount for all  
[5] drawing I don't understand why.  
[6] **Q:** Was it your understanding —  
[7] **MR. MANDEL:** Withdrawn.  
[8] **Q:** In late January, you decide to  
[9] terminate Triarch, correct?  
[10] **A:** Same we do this more orderly, but I  
[11] tried to keep the situation. We sent a letter to  
[12] them, please, late, everything is late,  
[13] everything is late, everything is late. I think  
[14] we have this —  
[15] **MR. ISRAEL:** E-mails.  
[16] **A:** — e-mails in your situation.  
[17] **MR. ISRAEL:** He's talking about  
[18] e-mails, not letters.  
[19] **A:** This is not like this, you know, one  
[20] day I came and I tell them to stop without any  
[21] reasons, you know. We have a lot of e-mails with  
[22] them for same reasons, why not this one, why not  
[23] that one, why too late, too late, too late.  
[24] This is a stop as a result of many,  
[25] many too late, you know. Because this project —

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[1] **V. Voronchenko**  
[2] any project has to be in time. Time — time was,  
[3] as usual, one year, you know, as usual.  
[4] **Q:** But even after you terminated them,  
[5] they sent you a final invoice right?  
[6] **A:** They, I don't know.  
[7] **Q:** Is it your understanding —  
[8] **MR. MANDEL:** Withdrawn.  
[9] **Q:** Did they ask you for money after you  
[10] terminated them?  
[11] **A:** If I remember, no. They started to  
[12] do this more later.  
[13] **Q:** How long did the project take to  
[14] complete?  
[15] **MR. ISRAEL:** Objection.  
[16] You can answer. You can answer if  
[17] you understand. I made an objection to the  
[18] form of the question, but you still have to  
[19] answer it, if you understand the question.  
[20] **A:** How long?  
[21] **Q:** How long did the renovation and  
[22] decoration of the apartment take?  
[23] **A:** It's long time. You know why?  
[24] Because I was too busy to do something with this  
[25] apartment. You know, I had at that time for me

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[1] **V. Voronchenko**  
[2] very important, important work in Moscow. I  
[3] didn't have time to — to concentrate on this  
[4] project. And, you know, was like — and I lost  
[5] the interest, you know, to do this, after this  
[6] situation.  
[7] This is — I enjoyed this process as  
[8] usual, but when you have not good situation, you  
[9] always — you can lose interest to — to some  
[10] project. And they're not — after this, I was  
[11] not very much involved in this project, and it  
[12] was long time because I didn't have time.  
[13] **Q:** And when did you lose interest in  
[14] the project?  
[15] **A:** After Triarch. Because they really  
[16] spend for them a lot of my time. My time  
[17] was — I took a lot of books from Europe, you  
[18] know, to them, to show them a lot of magazines,  
[19] really spent with them hours, hours, hours,  
[20] hours. No question.  
[21] **MR. ISRAEL:** Can we go off the  
[22] record for one second.  
[23] (Discussion held off the record.)  
[24] (Time noted: 11:48 a.m.)  
[25] (A brief recess is taken.)

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[1] **V. Voronchenko**  
[2] (Time noted: 11:53 a.m.)  
[3] **Q:** From start to finish, did the  
[4] renovation and decoration of the apartment take  
[5] about four years?  
[6] **A:** I didn't calculate. I even didn't  
[7] calculate.  
[8] **Q:** When did you start working on the  
[9] renovation of the apartment?  
[10] **A:** I don't remember. A long time. You  
[11] know, with Triarch or with whom? With Triarch?  
[12] **Q:** What —  
[13] **A:** What year it was?  
[14] **Q:** The Triarch contract was entered  
[15] into in early September 2008. And there are  
[16] contracts that go back further than that, I  
[17] believe you hired Libracon before that, correct?  
[18] **A:** I believe before?  
[19] **Q:** You signed a contract with Libracon  
[20] before — we'll get to that contract, that's  
[21] okay.  
[22] Do you think it would have been  
[23] possible to accomplish the renovation and  
[24] decoration of the apartment in less than four  
[25] years?

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[1] **V. Voronchenko**  
[2] **A:** Of course, it's possible to do in  
[3] one year.  
[4] **Q:** Is it possible to do in less than  
[5] one year?  
[6] **A:** I'm sorry?  
[7] **Q:** Would it be possible to do in less  
[8] than a year?  
[9] **A:** Lust?  
[10] **Q:** Less, short time, more quickly.  
[11] **MR. ISRAEL:** Quicker, quicker, would  
[12] it have been possible to do it quicker than  
[13] one year?  
[14] **A:** Quicker than one year? I did  
[15] project like this less than one year, more  
[16] complicated than this, less than one year.  
[17] **Q:** How long did that other project  
[18] take?  
[19] **A:** What?  
[20] **Q:** How much time did this other project  
[21] take?  
[22] **A:** I make project much more, three  
[23] times bigger than this and difficult than this  
[24] and five months.  
[25] **Q:** And where was that project done?

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[1] **V. Voronchenko**  
[2] **A:** Moscow.  
[3] **Q:** And —  
[4] **A:** And not one project like this.  
[5] **Q:** What was the project?  
[6] **A:** It was retail. Retail. Retail  
[7] business. With business you have to do every  
[8] day, you know. But if you find right persons,  
[9] you know, and if you — if you organize  
[10] everything clear, you can do this very quick.  
[11] But when I — most of the time on site from the  
[12] country and nobody push, nobody everyday ask,  
[13] it's always — always a weak project, you know.  
[14] And as a business project, you work with business  
[15] project every day, from the morning to the night.  
[16] And project like this, nobody in  
[17] Russia and it's continuing, continual exist. I  
[18] started very energetic way, you know, I want to  
[19] finish immediately, but when I understood how its  
[20] work in New York, in New York, you know, and I  
[21] lost — I lost energy for this.  
[22] **Q:** Do you think it's possible to do a  
[23] residential project in New York of this type in  
[24] less than a year?  
[25] **MR. ISRAEL:** Objection.

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[1] **V. Voronchenko**  
[2] You can answer.  
[3] **A:** I don't know about New York, but I  
[4] know exactly Moscow, yes. In New York, I don't  
[5] have experience. Now I have. Sorry. Now I have  
[6] experience.  
[7] **Q:** Wait —  
[8] **A:** If you next person will ask me about  
[9] this, I will tell you oh.  
[10] **Q:** When you hired Mr. Calderin, how  
[11] long did he take to prepare designs of the  
[12] apartment?  
[13] **A:** He did, like this, very, very speedy  
[14] like this. I had final design like couple of  
[15] weeks, you know. I had final design for whole  
[16] apartment with all architectural changes with  
[17] everything, you know.  
[18] **Q:** And did he present you with  
[19] renderings, like the renderings contained in  
[20] Exhibit 4?  
[21] **MR. McKEE:** Objection to form.  
[22] **MR. ISRAEL:** Objection.  
[23] **MR. McKEE:** You might want to  
[24] explain what you mean by a rendering to the  
[25] witness.

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[1] *V. Voronchenko*  
[2] MR. MANDEL: Withdrawn.  
[3] Q: Showing you the second page or the  
[4] first full set — the first page of Defendant's  
[5] Exhibit 4 that has images on it, am I correct  
[6] that these are computer-generated images?  
[7] MR. ISRAEL: Objection.  
[8] A: What is computer —  
[9] MR. ISRAEL: He wants to know if  
[10] this came out of a computer, these  
[11] pictures.  
[12] A: All of this computer pictures.  
[13] Q: Yes. And have you —  
[14] A: This is — this job possible to do  
[15] in computer 10 minutes, you know.  
[16] Q: Right. You didn't take 10 minutes  
[17] to prepare this kind of image on a computer?  
[18] A: It's very easy. 10 minutes, maybe  
[19] one hour, maybe less than 10 minutes, it's no  
[20] problem. You — I know the designers  
[21] have — have special programs, you know. They  
[22] can to put any piece of furniture on the  
[23] computer, and like this, and to move the — move  
[24] the walls, and change the colors and change  
[25] everything. It's special. Special professional

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[1] *V. Voronchenko*  
[2] programs.  
[3] Q: Do you use the word rendering?  
[4] A: What is renderings?  
[5] Q: You never heard that word before?  
[6] A: What is renderings?  
[7] Q: Renderings is a word that I heard  
[8] used to describe these type of generated images.  
[9] I don't like to use new words for you. What word  
[10] would you use to describe these images?  
[11] A: Images. Just images.  
[12] Q: Okay. Did Mr. Calderin provide you  
[13] with images of what the apartment would look  
[14] like?  
[15] A: Look like? Yes. I don't remember.  
[16] Q: You don't remember whether  
[17] Mr. Calderin ever gave you any images?  
[18] A: No. What I remember — of course he  
[19] gave me a lot of images.  
[20] Q: He did give you images?  
[21] A: Of course he did. How is it  
[22] possible?  
[23] Q: I'm going to show you what has  
[24] already been marked as Plaintiff's Exhibit 10.  
[25] Do you recognize that document?

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[1] *V. Voronchenko*  
[2] A: I remember this. Yes. I remember  
[3] this.  
[4] Q: What is that document?  
[5] A: They had many proposition with this.  
[6] This is my apartment, not my — it was different  
[7] proposition with this. I have more proposition  
[8] than this.  
[9] Q: Did Libracon prepare this?  
[10] MR. ISRAEL: Objection.  
[11] A: Sorry?  
[12] Q: Did Libracon prepare that document?  
[13] MR. ISRAEL: If you know.  
[14] Q: If you know.  
[15] A: I think yes, because in Russian,  
[16] because only Libracon can —  
[17] Q: And in the lower right-hand corner  
[18] it says "Libracon"?  
[19] A: Libracon. Correct.  
[20] Q: Are those Libracon designs for the  
[21] 515 apartment on the 21st floor?  
[22] A: What do you think about? You know,  
[23] you ask me is this Libracon, and you ask me is  
[24] this Libracon design? I don't know. I don't  
[25] know. What do you think about? If the design,

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[1] *V. Voronchenko*  
[2] the address 515, and Libracon stamp, I don't  
[3] know.  
[4] Q: Sometimes a document appears to be  
[5] one thing but, in fact, it's something else so  
[6] you ask the witness if it is what it looks like.  
[7] A: I had tons of different proposition  
[8] for this — for this design. Libracon, they are  
[9] our friends, you know, they did a lot of drawing,  
[10] by the way, not bad. I saw this but I forgot it,  
[11] many years ago, you know. Look at this, typical  
[12] art deco, this one, you know, typical art deco.  
[13] Not bad.  
[14] Q: And do you know if Libracon prepared  
[15] that before or after Triarch gave you its book of  
[16] images?  
[17] MR. ISRAEL: I just want to identify  
[18] that the answer was not bad, when he said  
[19] not bad, two pages, it's the second page  
[20] before the end of the document.  
[21] MR. McKEE: I'll object to the form  
[22] of the question.  
[23] A: I think it's before. I think this  
[24] is before Triarch.  
[25] Q: Why do you think that?

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**V. Voronchenko**

[1] **A:** Huh?  
[2] **Q:** Why do you think that?  
[3] **A:** Because it's very similar, because I  
[4] ask this, you know, because this is typical, what  
[5] is a product of Libracon and Triarch, you see  
[6] it's very similar, you know, and Triarch you saw  
[7] this before, this — 100 percent before Triarch,  
[8] because very similar design, look at this. Look  
[9] at this. Very similar design. Even better than  
[10] Triarch design, you know. You know why? Because  
[11] I showed them what I want. I forgot the name of  
[12] French architecture who is working in this style,  
[13] but I gave them the book of the architect what  
[14] he — what he did —  
[15] **Q:** You gave who?  
[16] **A:** — during his life.  
[17] **Q:** You gave who which book? I didn't  
[18] hear that. You gave who which book?  
[19] **A:** Huh?  
[20] **Q:** You gave —  
[21] **A:** Book of French designer and  
[22] decoration, you know, it's all this one, and  
[23] Triarch it's very similar, because they  
[24] tried — they tried both of them, they tried to

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**V. Voronchenko**

[1] make a copy of this French designer, what I like,  
[2] they just tried to make a copy.  
[3] **Q:** Who tried to make a copy?  
[4] **A:** And — Libracon and Triarch, because  
[5] I gave them order I want like this. I want this  
[6] style. I want this style, what you have the  
[7] book, you have to make me copy of this — of this  
[8] design — designer and decorator.  
[9] **Q:** Which designer?  
[10] **A:** I can't find now. In Europe. I can  
[11] find tomorrow the name of this designer.  
[12] **Q:** Did Triarch copy his design in any  
[13] way?  
[14] **A:** Of course, because I asked them and  
[15] I — Libracon, and I asked Triarch, I showed them  
[16] what I want exactly. I told him, I want exactly  
[17] this, exactly like this, not like another one,  
[18] this one. You see the book, you see the  
[19] magazines with the apartments with this designer,  
[20] I want to have exactly like this.  
[21] **Q:** And where — and does this exhibit,  
[22] Plaintiff's Exhibit 10, include a copy of that  
[23] designer that you're referring to?  
[24] **MR. ISRAEL:** Objection.  
[25]

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**V. Voronchenko**

[1] **A:** Sorry, look at this, it's even  
[2] better than Triarch. I don't understand  
[3] why — why I didn't take this project, better  
[4] than Triarch, definitely more clean, not too much  
[5] stone and beautiful. But it's always not — no  
[6] time, you know, for private life. Look at this.  
[7] **Q:** I understand?  
[8] **A:** Real, real —  
[9] **Q:** Right now I'm asking you a very  
[10] specific question. You said you asked Libracon  
[11] to copy a book of a famous French designer?  
[12] **A:** Not copy, it's not copy. I showed  
[13] them the book and please do me the same.  
[14] **Q:** The same design?  
[15] **A:** Yes. The same — and not only  
[16] Libracon, Triarch too.  
[17] **Q:** Let's start with Libracon. Is  
[18] anything in this book that you're showing me here  
[19] today exactly like the design you asked them to  
[20] use?  
[21] **A:** Libracon?  
[22] **Q:** Yes.  
[23] **MR. ISRAEL:** Anything like the  
[24] French design.  
[25]

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**V. Voronchenko**

[1] **Q:** Like the French design?  
[2] **A:** Like French designer, yes.  
[3] **Q:** Which part —  
[4] **A:** I asked —  
[5] **Q:** — is like the French design? Can  
[6] you please show me?  
[7] **A:** All of this, all design of Triarch,  
[8] all design of Libracon, it's like this French  
[9] design, you know. Similar, you see lot of  
[10] similar things in Libracon. This was before  
[11] Triarch. Definitely before.  
[12] When I start to work with Triarch?  
[13] **Q:** In August or September of 2008?  
[14] **A:** August or September. This is 14th  
[15] of February 2008.  
[16] **Q:** So this is before?  
[17] **A:** It's 10 months before, 10 months  
[18] before, you see. It is beautiful, beautiful  
[19] proposition, 10 months before Triarch.  
[20] **Q:** So why did you hire Triarch if you  
[21] had that 10 months before and liked that, why did  
[22] you hire Triarch?  
[23] **MR. ISRAEL:** It's been asked and  
[24] answered.  
[25]

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*V. Voronchenko*

- [1] You can answer.  
[2] A: I had a lot of business, I didn't  
[3] have time to do it.  
[4] Q: Did you give —  
[5] A: And definitely I will continue with  
[6] them, with Libracon, because I know them very  
[7] well. Only because my friend asked me to help  
[8] his kids to do this, to help him, I took the  
[9] Triarch because Libracon was a company hundred  
[10] times more than — than Triarch company was two  
[11] people, you know.  
[12] Q: Did you ever give this book to  
[13] Triarch?  
[14] A: Of course, yes. I gave — I gave  
[15] them all — all designers. I had much more than  
[16] this one. I gave him more than this one. I  
[17] showed him — I had another proposition from  
[18] another Italian architecture, what I use in  
[19] Moscow. I can tell you the name of this  
[20] architecture, he did the same for me, proposition  
[21] for — for the apartment, but was a little bit  
[22] too strong for me, but I can show you this  
[23] proposition.  
[24] Q: Other than what you testified to  
[25]

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*V. Voronchenko*

- [1] today, did you give any other designs or books to  
[2] Triarch?  
[3] A: I gave them a lot of — a lot of  
[4] magazines and designs and reasons I explained for  
[5] them a hundred hours, you know, to explain them  
[6] and to — to do with them this start — started  
[7] drawings what they did.  
[8] Do you see, 6/02/08, it was in  
[9] Europe, it's opposite you know. First one is—  
[10] this is the day, not month. 6th of —  
[11] Q: February?  
[12] A: — February. Yes. And every page  
[13] you have 14, 14th of February, you know. 10  
[14] months before when I started — or nine months  
[15] before.  
[16] Q: Okay. Thank you.  
[17] MR. MANDEL: Now I'm going to hand  
[18] Exhibit 36 to the witness, but Exhibit 36  
[19] is a letter signed by Mr. Israel this  
[20] morning saying, "I hereby agree to accept  
[21] service on behalf of Vladimir Voronchenko  
[22] and Medallion, Inc. as of today's date."  
[23] And I would just ask Mr. Israel to confirm,  
[24] on the record, that he's accepting service  
[25]

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*V. Voronchenko*

- [1] on behalf of both the defendants, Vladimir  
[2] Voronchenko and Medallion Inc.  
[3] MR. ISRAEL: Confirmed.  
[4] MR. MANDEL: I have marked as  
[5] Plaintiff's Exhibit 37 and 38 — let me  
[6] start with Exhibit 37, is the amended  
[7] summons and first amended complaint against  
[8] Medallion. And Exhibit 38 is the amended  
[9] summons and the first amended complaint  
[10] with respect to Mr. Voronchenko. I'm  
[11] handing those to the witness.  
[12] Q: And I would ask Mr. Voronchenko,  
[13] have you ever seen those documents before?  
[14] A: Which one?  
[15] Q: Either Exhibit 37 or 38?  
[16] MR. ISRAEL: Are these the amended  
[17] pleadings?  
[18] MR. MANDEL: Yes.  
[19] MR. ISRAEL: He hasn't. I can tell  
[20] you, he hasn't because I haven't shown them  
[21] to him.  
[22] MR. MANDEL: Okay.  
[23] A: I never — I never seen it.  
[24] MR. ISRAEL: You've never seen this.  
[25]

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*V. Voronchenko*

- [1] A: I never seen this and never read  
[2] this.  
[3] Q: And I'm going to give you,  
[4] Mr. Voronchenko, another copy of each of them, so  
[5] that you have them, since no one has given them  
[6] to you before. These are your copies to take  
[7] today. Those are copies of Exhibits 37 and 38.  
[8] A: What is?  
[9] MR. ISRAEL: Give it to me.  
[10] A: What is Exhibits 37?  
[11] MR. ISRAEL: I will explain this to  
[12] you later.  
[13] I got them. They're received.  
[14] THE WITNESS: I need to read these  
[15] or what?  
[16] MR. ISRAEL: We'll talk about it  
[17] later.  
[18] Q: I just want to know if you've ever  
[19] seen it before.  
[20] A: Never.  
[21] (Plaintiff's Exhibit 39, document  
[22] bearing Bates numbers MED 15 - MED 24,  
[23] marked for identification.)  
[24] MR. McKEE: Plaintiff's 39?  
[25]



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[1] *V. Voronchenko*  
[2] **MR. MANDEL:** Plaintiffs 39 appears  
[3] to be a contract or draft contract that  
[4] begins on page Bates number page MED 15 and  
[5] continues through Bates number page MED 24.  
[6] Do you recognize this document.  
[7] **Q:** Do you recognize this document,  
[8] Mr. Voronchenko?  
[9] **A:** What is this? I don't understand.  
[10] **MR. ISRAEL:** He's asking you whether  
[11] you recognize this document, whether you've  
[12] seen it before. You may have seen it  
[13] before or you may not have seen it before.  
[14] I want to know —  
[15] **A:** He wants to know — I never saw it  
[16] before.  
[17] **Q:** Have you ever heard of Jendretzki?  
[18] **A:** Jendretzki?  
[19] **Q:** Yes.  
[20] **A:** Personally, no.  
[21] **Q:** Did you ever have a conversation  
[22] with Jendretzki about them performing services in  
[23] connection with the apartment?  
[24] **A:** Listen, it's ask about this  
[25] Libracon, because you — you started to put me

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[1] *V. Voronchenko*  
[2] inside, involved. I am not inside. I am not  
[3] involved. Sorry about that. You know I am not  
[4] completely involved and I — I don't talk to — I  
[5] am not talking to — I didn't talk to — to these  
[6] people.  
[7] **Q:** You never spoke to Jendretzki?  
[8] **A:** Listen, maybe I forget. I forgot  
[9] even the name of the —  
[10] **MR. ISRAEL:** Libracon?  
[11] **THE WITNESS:** Not Libracon.  
[12] **MR. McKEE:** Garth?  
[13] **MR. ISRAEL:** Garth?  
[14] **THE WITNESS:** Not Garth.  
[15] **MR. ISRAEL:** I think he forgot  
[16] Libracon first.  
[17] **A:** The owner of Triarch.  
[18] **Q:** Steve Corelli?  
[19] **A:** Steve Corelli, I don't even know his  
[20] name. I never heard about his name. You know.  
[21] You asked me about Jendretzki.  
[22] **Q:** Yes. And, Mr. Voronchenko —  
[23] **A:** If you ask me the name of this  
[24] Steven, I never tell you I know my — my  
[25] ex-designer and —

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[1] *V. Voronchenko*  
[2] **Q:** Mr. Voronchenko?  
[3] **A:** What is it? What is this?  
[4] **MR. ISRAEL:** Let him ask you the  
[5] questions.  
[6] **Q:** Mr. Voronchenko, I understand that  
[7] you're not going to remember everything because  
[8] some of these events happened before. I've got  
[9] to ask you what do you remember. And your  
[10] obligation is just to say what you remember.  
[11] Obviously no ones's memory is perfect.  
[12] **MR. MANDEL:** Let's move on to the  
[13] next document.  
[14] **MR. ISRAEL:** It looks like this is  
[15] printed poorly. It might be that he  
[16] came — sometimes my printer is screwed up  
[17] like this with the blocks on it, I might  
[18] have — I hadn't noticed this before, I  
[19] might have a better version because my  
[20] computer sometimes makes — prints badly  
[21] like this. If I have a better one, I'll  
[22] print it out for you.  
[23] **MR. MANDEL:** Okay. Thank you.  
[24] **Q:** As I understood, this guy made  
[25] changes in architectural — architectural changes

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[1] *V. Voronchenko*  
[2] in the apartment, yes or no?  
[3] **MR. ISRAEL:** Don't guess. And I  
[4] can't tell you. He can ask you questions,  
[5] that is all that is going to go on here.  
[6] **A:** Jendretzki.  
[7] **MR. ISRAEL:** If you don't know, that  
[8] is fine. We'll move on. He says we're  
[9] going to move on.  
[10] **Q:** I'm going to hand you what has been  
[11] marked — I have no more questions about that  
[12] document.  
[13] **MR. ISRAEL:** Put that one aside for  
[14] right now.  
[15] **Q:** I'm going to hand you what has been  
[16] marked as Defendant's Exhibit 2. That one — let  
[17] me give you a different copy. Mr. Voronchenko,  
[18] I'm going to give you this copy. I'm not  
[19] supposed to show you that one, because that one  
[20] is highlighted.  
[21] **A:** What do I have to do with this?  
[22] **Q:** Does this document look like the  
[23] agreement between Medallion and Triarch  
[24] concerning the apartment?  
[25] **MR. ISRAEL:** I want to note for the

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[1] **V. Voronchenko**  
[2] record — you can ask that question but I  
[3] want to note for the record that it  
[4] purports to be signed, by electronic  
[5] signature, "Garry Braderman, Managing  
[6] Director."  
[7] **THE WITNESS:** What is that?  
[8] **MR. ISRAEL:** An electronic stamp it  
[9] has and not from Mr. Voronchenko.  
[10] You can answer his question.  
[11] **A:** What is this? This is our contract  
[12] between — what is AIA? What is it?  
[13] **Q:** I think that is Association of  
[14] Architects.  
[15] Have you ever seen this document  
[16] before?  
[17] **A:** No. Never.  
[18] **Q:** Before, were you involved at all in  
[19] the negotiation of the contract between Medallion  
[20] and Triarch?  
[21] **MR. ISRAEL:** Objection.  
[22] **A:** No. No.  
[23] **Q:** Do you have any recollection of  
[24] discussing any terms that were potential or  
[25] actual terms in the contract between Medallion

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[1] **V. Voronchenko**  
[2] and Triarch?  
[3] **A:** I don't remember. I was not  
[4] involved in additional stuff. Technical stuff.  
[5] **Q:** Did you ever provide Triarch with a  
[6] budget for the project?  
[7] **A:** Do you see even —  
[8] **MR. ISRAEL:** Just answer his  
[9] questions.  
[10] **A:** For me it's interesting, for me —  
[11] **MR. ISRAEL:** Just answer his  
[12] questions. It could be interesting, answer  
[13] his questions.  
[14] **Q:** What do you find interesting,  
[15] Mr. Voronchenko?  
[16] **A:** Well, I thinking, you see the 15  
[17] percent schematic design fast — phase, phase.  
[18] Yes?  
[19] **Q:** Phase, yes?  
[20] **A:** Phase. Design development phase,  
[21] schematic design phase, it has to be full for all  
[22] apartment. Schematic design, after this I have  
[23] to pay 15 percent. Even today I don't have full,  
[24] whole design phase. This is a very — very  
[25] important things for everybody. Do you see how I

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[1] **V. Voronchenko**  
[2] have to pay. You know —  
[3] **THE WITNESS:** Am I right? Am I  
[4] right, you know?  
[5] **MR. ISRAEL:** I'm not answering your  
[6] questions. We're not having a discussion  
[7] right now. He's asking you questions. We  
[8] can discuss it later on. Just answer his  
[9] questions.  
[10] **Q:** Mr. Voronchenko, did anyone —  
[11] **MR. MANDEL:** Withdrawn.  
[12] **Q:** Mr. Voronchenko, did you ever  
[13] provide Triarch with a budget for this project?  
[14] **A:** Did — listen, it's not working like  
[15] this. It's — I am — first of all, I am looking  
[16] to hear the proposition, you know, I don't even  
[17] want to talk about this first beginning. First  
[18] of all I want to have a final product, and the  
[19] price of final product how I make decision. I  
[20] ask everybody if — if I am not in a strong  
[21] business, for example, for business, I know  
[22] always — always the place, you know — not  
[23] place, it's always — I know the total amount  
[24] what I want to spend in business. Not business,  
[25] it's not like this.

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[1] **V. Voronchenko**  
[2] I always ask, please, do me nice.  
[3] What do you mean nice, I explain what I mean  
[4] nice. This, this, this, this, this, and this.  
[5] You have to make me all, when I sign the final  
[6] decision, yes or not. Never like part job like  
[7] this. I ask always, okay, give me final plan,  
[8] final, final, final. When I see the final plan,  
[9] everything I accepted, you know, I accept it, I  
[10] ask, okay, tell me, how much it cost just to  
[11] build.  
[12] People have to calculate one  
[13] bathroom 1,000, another bathroom 2,000, another  
[14] room 3,000, this, this, this, 10 rooms, 10,000,  
[15] for example, you know.  
[16] Give me an idea about the electronic  
[17] devices, about lights, about furniture, about  
[18] tracks, about pillows, about vases, about  
[19] candles, about this, give me that.  
[20] As usual, they tell you oh, it's  
[21] very difficult, because it's piece by piece.  
[22] Okay give me plus/minus 25 percent.  
[23] **Q:** A range?  
[24] **A:** Because you know the market, I know  
[25] the market, you know. I need the — not antique

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[1] **V. Voronchenko**  
[2] pieces, everybody knows how much cost sofa, for  
[3] example top quality, everybody know how much  
[4] cost. Okay. They — they gave me — they have  
[5] to give me the idea of the price of the design  
[6] and decoration, how much cost that, they have to  
[7] propose me the draperies, with motors — no  
[8] motors because I didn't have from them any ideas  
[9] about the draperies. All my draperies with the  
[10] motors it's blah-blah-blah-blah-blah. After  
[11] this —  
[12] **Q:** So —  
[13] **A:** Can I continue? You asked me.  
[14] After this, when I see the final  
[15] amount for architectural builder plus final  
[16] amount for electronic devices and furniture and  
[17] all decoration items, I see the final price,  
[18] after this I can tell, okay, acceptable, or,  
[19] sorry, you know, it's too much, I am looking for  
[20] little bit lower price, what can we do? What can  
[21] we do? We have marble around the wall, take out  
[22] the marble, all the marble, no marble on the  
[23] walls. We have — you understand what I mean?  
[24] **Q:** I understand. I understand how much  
[25] was spent.

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[1] **V. Voronchenko**  
[2] **A:** We have like the doors like this,  
[3] okay, make me simple doors, you know.  
[4] **Q:** How much was spent renovating and  
[5] decorating the apartment?  
[6] **A:** I need to calculate it. I don't  
[7] know.  
[8] **Q:** Do you know a range?  
[9] **A:** I — I am not pay for this.  
[10] **Q:** Who would know the answer to that  
[11] question?  
[12] **A:** Medallion.  
[13] **Q:** Would Mr. Braderman know the answer?  
[14] **A:** I think no, because Mr. Braderman  
[15] stop to do this project three years ago.  
[16] **Q:** He stopped working on this project  
[17] three years ago?  
[18] **A:** He — no, no, no, he stopped working  
[19] the project three years ago.  
[20] **Q:** Why did he stop working on the  
[21] project?  
[22] **A:** Because he helped me like a rent, he  
[23] had another job and he didn't have a time to do  
[24] this.  
[25] **Q:** Who helped you after Mr. Braderman

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[1] **V. Voronchenko**  
[2] stopped helping you?  
[3] **A:** Libracon.  
[4] **Q:** So who, at Medallion, would know how  
[5] much the total cost of the renovation is?  
[6] **A:** I can try to find this numbers.  
[7] **Q:** Okay. Was it more than a million  
[8] dollars?  
[9] **A:** I think around.  
[10] **Q:** So you just described earlier this  
[11] process is for discussing the budget, which was  
[12] very helpful for me. Am I correct in  
[13] understanding then that you never received what  
[14] you understood to be final drawings from Triarch,  
[15] that you never discussed the project with  
[16] Triarch?  
[17] **A:** No, I saw this, what you showed me,  
[18] I saw this.  
[19] **Q:** Did you ever discuss the budget with  
[20] Triarch?  
[21] **A:** Not before. We are talking about  
[22] budget, when we finish the — the whole design,  
[23] after this I understand, I don't — I never want  
[24] to — to keep the people. I want to make the  
[25] design beautiful, but if the money is too high, I

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[1] **V. Voronchenko**  
[2] mean the amount of — I started to cut to — to  
[3] cut the —  
[4] **Q:** Right.  
[5] **A:** — to cut the project.  
[6] **Q:** Did you ever get to that process,  
[7] that point in the process with Triarch?  
[8] **A:** We never got —  
[9] **MR. ISRAEL:** Let him finish the  
[10] question.  
[11] **Q:** Did you ever get to the point in the  
[12] design process where you talked about budget with  
[13] Triarch?  
[14] **A:** Sorry, again?  
[15] **Q:** Sure. Did you ever get to the point  
[16] in the process with Triarch where you talked  
[17] about budget?  
[18] **A:** We never really spoke about the  
[19] final design, because they did what they want.  
[20] **Q:** I understand. I'm just asking about  
[21] the budget right now.  
[22] **A:** As I explain you, as I explain you,  
[23] I started to talk about the budget when I see the  
[24] full design.  
[25] **Q:** You made that very clear. You made

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**V. Voronchenko**

[1] that very clear.  
[2] **A:** Yes.  
[3] **Q:** Here is the way we're not really  
[4] connecting, your answers are not really  
[5] responding to my questions and I don't want to  
[6] keep you here longer than is necessary today, so  
[7] I'm going to ask a very specific question.  
[8] **A:** We have five hours more.  
[9] **Q:** We have a lot more. I don't want to  
[10] waste your time. I want to go through it as  
[11] quickly as possible, and very specifically. You  
[12] made — your process, I totally understand. I  
[13] listened to what you were saying, I totally  
[14] understand about the process.  
[15] My question is: Did you and Triarch  
[16] ever discuss budget?  
[17] **A:** I don't remember.  
[18] **Q:** Okay.  
[19] **A:** I don't remember. It's — you know,  
[20] it's — in that time we are friends, you know.  
[21] And they definitely — they asked me for what  
[22] amount you're looking. My typical answer for  
[23] this listen, let's finish the — let's finish  
[24] the —  
[25]

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**V. Voronchenko**

[1] **Q:** Design?  
[2] **A:** — design. If design is beautiful,  
[3] I will talk to people who pay for this, you know,  
[4] and I'll recommend them to take this design, if  
[5] the amount is not so crazy. But let's see the  
[6] finish. Let's see where we are.  
[7] **Q:** Yes.  
[8] **A:** And know.  
[9] **Q:** Is there a problem with your  
[10] approach of waiting until you have a final design  
[11] to discuss budget —  
[12] **MR. ISRAEL:** Objection.  
[13] **Q:** — in that —  
[14] **MR. ISRAEL:** Sorry.  
[15] **Q:** — a designer could spend a whole  
[16] lot of time creating a design that is more  
[17] expensive than the client wanted to pay?  
[18] **MR. ISRAEL:** Objection.  
[19] You can answer.  
[20] **A:** Could you start again?  
[21] **Q:** Sure. Of course. It was a  
[22] complicated question.  
[23] If you wait until the design is  
[24] final to start talking about a budget, if a  
[25]

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**V. Voronchenko**

[1] design, that designs — if a design costs \$10  
[2] million but the client only wants to spend \$1  
[3] million, and then the designer wastes a lot of  
[4] time.  
[5] **A:** I understand. As usual I want to  
[6] see the best, what I can have no limit. As  
[7] usual. You know. After this, if the amount is  
[8] crazy, I start — I start — I start to cut, this  
[9] is my typical decision. I don't want to ever  
[10] tell designer you have to do for hundred thousand  
[11] dollars for — because for the hundred thousand  
[12] dollars he will create me like a shit, no. But  
[13] do what you want.  
[14] This is — I — more or less I  
[15] understand what he can spend, because there not  
[16] antique furniture, not antique walls and not  
[17] antique doors. And in this condition — in this  
[18] situation, you know, limit, you know, only  
[19] — only see limit base — you can buy the chair  
[20] for \$20,000, but you can buy the chairs with 2  
[21] million per chair, you know. But if you are  
[22] looking to buy the typical today furniture, it's  
[23] more or less I understand I have the feeling of  
[24] what it is.  
[25]

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**V. Voronchenko**

[1] **Q:** There were a number of things that  
[2] you said you did not like about Triarch's work on  
[3] this project. And was the budget one of the  
[4] things that you didn't like about Triarch's work?  
[5] Did you think that Triarch was preparing a design  
[6] that was too expensive?  
[7] **A:** We didn't talk about this. It's  
[8] impossible to talk, because before a  
[9] time — final drawings, it's how can you talk  
[10] about this? Can build every bathroom with 2,000,  
[11] you can build a bathroom with 100,000, you know,  
[12] it's — it depends. The most expensive things is  
[13] always the bathroom, more expensive  
[14] than — than — than the room. Because bathroom  
[15] is always marble, or something like this,  
[16] everything is very expensive.  
[17] **Q:** With respect to the agreement  
[18] between Triarch and Medallion, if Medallion  
[19] terminated that agreement, did Medallion have a  
[20] right to continue using the document, the images  
[21] and drawings?  
[22] **A:** No idea.  
[23] **MR. ISRAEL:** Just note my objection  
[24] as calls for a legal conclusion or  
[25]

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*V. Voronchenko*

[1] interpretation.  
[2] **MR. MANDEL:** Sure.  
[3] **A:** No idea. Show me the contract and  
[4] I'll tell you.  
[5] **MR. ISRAEL:** You don't have to — it  
[6] calls for a legal interpretation.  
[7] **Q:** In Defendant's Exhibit 2, I'm going  
[8] to turn your attention to use of documents,  
[9] Article 3. Use of documents. And throughout  
[10] today you should take as much time as you want to  
[11] read the document that I show you. But I'm going  
[12] to read to you one portion of the —  
[13] **A:** I need to translate this. This  
[14] is — for me it's difficult.  
[15] **Q:** It's difficult for you to  
[16] understand?  
[17] **A:** I need to translate, after this I  
[18] can talk about it.  
[19] **Q:** Okay. So did you ever consult  
[20] anyone — did you ever have any conversation  
[21] about anybody of whether you or Medallion has a  
[22] right to use any of the materials that Triarch  
[23] gave you after you terminated, after Medallion  
[24] terminated Triarch?  
[25]

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*V. Voronchenko*

[1] **MR. ISRAEL:** Don't — hang on a  
[2] minute. Don't disclose any communication  
[3] you had with a lawyer. So in the response  
[4] you're going to give whether you talked  
[5] about that with anyone, you should not  
[6] refer to any conversations that you had  
[7] with me or with any other lawyer regarding  
[8] that question.  
[9] **Q:** Let's actually just make this, to be  
[10] superprotective of the attorney-client, let's  
[11] make it a yes-or-no question.  
[12] **A:** Could you ask it again?  
[13] **Q:** Of course. It's a yes-or-no  
[14] question. Did you talk to anybody —  
[15] **A:** Yes.  
[16] **Q:** — about whether you could keep  
[17] using materials Triarch gave you after Triarch  
[18] was terminated?  
[19] **A:** Listen, it's not Triarch decision,  
[20] it was — first of all, it was my decision,  
[21] I — I keep all the materials, it was my choice,  
[22] not Triarch choice. Sorry about that. It is my  
[23] idea, not Triarch's idea. You know, I told him I  
[24] want the leather this color, this color, this  
[25]

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*V. Voronchenko*

[1] type of leather. I want this type of wood. You  
[2] remember, please, write down, this type of wood.  
[3] I want this marble, the name of this marble is my  
[4] idea, it is my idea, not Triarch's idea. Sorry  
[5] about that. All the suede, all the marble, all  
[6] the wood, my choice and my idea.  
[7] **Q:** Okay.  
[8] **A:** You know, all the wood is my idea,  
[9] completely all the wood, all the material is  
[10] plywood, not Triarch wood.  
[11] **Q:** Okay.  
[12] **A:** Not even connected with Triarch.  
[13] **Q:** Okay. I'm going to ask the same  
[14] question again.  
[15] **A:** Sorry, I told him but it is the  
[16] truth. They used my material, not I used their  
[17] material.  
[18] **Q:** But let me just ask this question,  
[19] did you ever — it's a simple yes or no.  
[20] **A:** I do build this the same object like  
[21] this, maybe 200 —  
[22] **MR. ISRAEL:** It's a fruitless  
[23] question, it calls for a legal conclusion.  
[24] **MR. MANDEL:** It's a yes-or-no  
[25]

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*V. Voronchenko*

[1] question about whether he had a  
[2] conversation, what is the legal conclusion?  
[3] **A:** Listen, I build it, I build it like  
[4] this project maybe hundred to 150 projects like  
[5] this.  
[6] **MR. ISRAEL:** He's not going to  
[7] understand what you're asking.  
[8] **A:** For business, you know, I know every  
[9] piece of material, every piece of fabric, every  
[10] piece of wood, you know, better than they know,  
[11] much better than Triarch knows.  
[12] **Q:** Were you the one who decided to  
[13] terminate the Triarch contract?  
[14] **A:** When I decide?  
[15] **Q:** Someone decided to terminate the  
[16] contract with Triarch, correct?  
[17] **A:** Somebody.  
[18] **Q:** Yes.  
[19] **A:** Yes.  
[20] **Q:** Were you that person?  
[21] **A:** I think I made final decision.  
[22] **Q:** And —  
[23] **A:** You know why, because — I can  
[24] explain why. Because people told me no answer,  
[25]

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[1] **V. Voronchenko**  
[2] no answer. We send the letter, no answer. We  
[3] send the letter, we send the letter, no answer.  
[4] Slowly, slowly, slowly. It's impossible to work,  
[5] very slow. Okay. Very slow send the letter stop  
[6] to work and this is it.  
[7] **MR. ISRAEL:** He just wants to know  
[8] if you know who made the decision to no  
[9] longer use Triarch in working on the  
[10] renovations of the apartment. He wants to  
[11] know if you know who made that decision,  
[12] that is what his question is.  
[13] **A:** It was mutual decision, people  
[14] who — who was involved in this project, you  
[15] know, because, for example, it was very difficult  
[16] to work with them, it was very slow.  
[17] **Q:** When you say it was a mutual  
[18] decision, was it made by you and Medallion?  
[19] **A:** No, no. I mean the people who was  
[20] involved in this. They are recommended to stop  
[21] to work with Medallion — with Triarch.  
[22] **Q:** You mean Steven's father-in-law,  
[23] Mr. Kaufman?  
[24] **A:** Not Steven. Libracon.  
[25] **Q:** And Libracon decided to stop working

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[1] **V. Voronchenko**  
[2] with Triarch?  
[3] **MR. ISRAEL:** That is not what he  
[4] said.  
[5] **MR. MANDEL:** I do not understand  
[6] what he's saying, I am trying to  
[7] understand, if you would like to translate,  
[8] give it a go-ahead.  
[9] **MR. ISRAEL:** Can I give it a shot?  
[10] **MR. MANDEL:** Yes.  
[11] **MR. ISRAEL:** He wants to know if it  
[12] was a mutual decision, not whether Triarch  
[13] was involved in the decision. He wants to  
[14] know who made the decision to no longer  
[15] work with Triarch on the Medallion end of  
[16] the arrangement.  
[17] **A:** Libracon recommended to me many  
[18] times to stop to work with Triarch, many times.  
[19] **Q:** Why did Libracon make that  
[20] recommendation?  
[21] **A:** Because very slow — very, very  
[22] slow, and they don't understand what we need.  
[23] Because finally, Libracon's proposition was, I  
[24] think, better than Triarch's proposition, as they  
[25] saw the — the — the paper — the proposition,

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[1] **V. Voronchenko**  
[2] you know. And they — because, you know, when  
[3] everything is too late, late, late, late,  
[4] it's — I know it's misunderstanding between two  
[5] companies, Libracon and Triarch. And plus, you  
[6] know, couple of months I told him, please don't  
[7] touch them, don't touch them, because this is  
[8] kids of my friend, you know, don't touch them,  
[9] kids of my friend, okay, I understand, this is  
[10] not convenient for you, this is not correct but  
[11] this is kids of my — of my friends. For me  
[12] it's — it's not comfortable, you know, to do  
[13] this, but when he started to this stage and  
[14] daughter of my friend, no more obligation.  
[15] **MR. ISRAEL:** He answered your  
[16] question, right?  
[17] **A:** Before my —  
[18] **MR. ISRAEL:** You answered his  
[19] question. It's okay. You answered his  
[20] question.  
[21] **A:** Sorry.  
[22] **Q:** Yeah. And I understand English is  
[23] not your first language, and that is fine, but if  
[24] you could just try and focus on exactly what I'm  
[25] asking, I think this will go a little more

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[1] **V. Voronchenko**  
[2] quickly.  
[3] Did you have any understanding as to  
[4] when Medallion had the right to terminate its  
[5] contract with Triarch?  
[6] **MR. ISRAEL:** Calls for a legal  
[7] conclusion.  
[8] You can answer.  
[9] **A:** I did understand —  
[10] **MR. ISRAEL:** He's asking you when  
[11] you knew that Medallion had the legal  
[12] right, when Medallion had the legal right  
[13] to terminate its contract with Triarch,  
[14] this is what he's asking, right?  
[15] **MR. MANDEL:** Yes. Exactly. Thank  
[16] you.  
[17] **MR. ISRAEL:** If you know that. You  
[18] may not know. You may know it. If you  
[19] know, that is what he wants to know.  
[20] **A:** The question is it's impossible to  
[21] stop to work between two companies?  
[22] **Q:** Do you understand that Triarch and  
[23] Medallion had a contract, right?  
[24] **A:** Of course.  
[25] **Q:** I think I may be wrong, but I think

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[1] **V. Voronchenko**  
[2] you testified you never saw the contract, you  
[3] can't recall? Maybe?  
[4] **A:** I don't remember.  
[5] **Q:** So I'm wondering whether you have  
[6] any understanding as to when Medallion could, if  
[7] it wanted to, terminate the contract?  
[8] **MR. ISRAEL:** Calls for a legal  
[9] conclusion. If you understand, you can  
[10] answer.  
[11] **A:** Medallion wanted to stop to work  
[12] with Triarch in the end of 2008, because the  
[13] process was too long, and Medallion was not very  
[14] excited with this process. And they recommended  
[15] me to stop in November or in December, something  
[16] like this. But I don't remember where we — when  
[17] we stopped really, in 2009, right?  
[18] **MR. ISRAEL:** I don't answer the  
[19] questions. You answer the questions.  
[20] **A:** Did we stop in 2009.  
[21] **MR. ISRAEL:** I think you did the  
[22] best you can to answer the question.  
[23] **MR. MANDEL:** Yes. I don't think he  
[24] answered the question. I think he's  
[25] building up to it. I don't know.

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[1] **V. Voronchenko**  
[2] **MR. ISRAEL:** I don't think so.  
[3] **A:** We stopped to work with them in  
[4] which year? In which year?  
[5] **Q:** In 2009, early 2009?  
[6] **A:** In 2009.  
[7] **Q:** All right. And do you have an  
[8] understanding as to how much Triarch was to be  
[9] paid for its work on the project?  
[10] **A:** How much Triarch —  
[11] **Q:** Was to be paid for its work on the  
[12] project?  
[13] **MR. ISRAEL:** If it did all of its  
[14] work and there was no issue about the  
[15] quality.  
[16] **Q:** He can answer however he wants.  
[17] **MR. ISRAEL:** I want to make sure he  
[18] understands it and understand it.  
[19] **A:** How much Triarch paid for this  
[20] project?  
[21] **Q:** How much — do you understand what  
[22] Triarch's fee was for this project?  
[23] **A:** How I understand how much cost this  
[24] job before I stopped to work with them? I don't  
[25] understand.

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[1] **V. Voronchenko**  
[2] **Q:** Sure. Triarch and Medallion had a  
[3] contract?  
[4] **A:** Yes. Okay.  
[5] **Q:** Did you understand that under that  
[6] contract there was a fee that Medallion was  
[7] supposed to pay Triarch?  
[8] **A:** Yes, of course. It's under  
[9] the — as I saw in the contract, it's some  
[10] portion during the — during the fees, some job,  
[11] job, job, job, job, portion, portion, portion.  
[12] **Q:** Did you negotiate Triarch's fee with  
[13] Steven or with anyone else at Triarch?  
[14] **A:** Not me.  
[15] **Q:** Do you know if anyone else  
[16] negotiated the fee that medallion was going to  
[17] pay to Triarch?  
[18] **A:** Somebody negotiate with them, I  
[19] think definitely.  
[20] **Q:** You don't know who that was?  
[21] **A:** Not me. It's — it was the  
[22] best — the best picture of this percentage was  
[23] what we saw in this. As I understand, we paid  
[24] first portion and second portion. You know, it's  
[25] exactly for this job what they — what they did,

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[1] **V. Voronchenko**  
[2] even more.  
[3] **Q:** Okay.  
[4] **A:** Even more, because — even first  
[5] step they had — they must to show us full  
[6] project, not just part of the project, and we  
[7] have to pay it first step. They didn't do this.  
[8] **Q:** Was the first step the schematic  
[9] design phase?  
[10] **A:** Yes. Design phase for whole  
[11] apartment, not for part of the apartment.  
[12] **Q:** Did they complete the schematic  
[13] design phase?  
[14] **A:** Complete it, I never saw this.  
[15] **Q:** So —  
[16] **A:** I saw what you showed me.  
[17] **Q:** Okay.  
[18] **A:** That's it.  
[19] **Q:** Why don't we turn — why don't we  
[20] turn to the third page of Exhibit 2. These are  
[21] the phases.  
[22] **A:** Yes.  
[23] **Q:** And above the phases it says Article  
[24] 6, payments and compensation.  
[25] **A:** Which one?

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[1] **V. Voronchenko**  
[2] **Q:** Article 6, payments and  
[3] compensation?  
[4] **A:** Yes.  
[5] **Q:** It says, "The architect's  
[6] compensation shall be 17 percent of the  
[7] construction cost," do you see that?  
[8] **A:** Show me the 17 percent?  
[9] **Q:** Here.  
[10] **A:** Yes. 17 percent of the construction  
[11] cost.  
[12] **Q:** Okay. Do you speak English better  
[13] than you read and write it? Do you have more  
[14] experience speaking English than reading and  
[15] writing it?  
[16] **A:** The same.  
[17] **Q:** The same. Okay. So scrolling down  
[18] to here, you know, progress payments. This is  
[19] the part you were pointing to earlier in your  
[20] testimony?  
[21] **A:** Yes.  
[22] **Q:** Schematic design phase?  
[23] **A:** 15 percent.  
[24] **Q:** Did Triarch complete the schematic  
[25] design phase?

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[1] **V. Voronchenko**  
[2] **MR. ISRAEL:** Asked and answered.  
[3] **A:** Of course not, of course not.  
[4] **Q:** Did Triarch begin the schematic  
[5] design phase?  
[6] **A:** Begin, yes.  
[7] **Q:** How far would you say they got in  
[8] the schematic design phase?  
[9] **A:** How far?  
[10] **Q:** They didn't get a hundred percent of  
[11] it done, did they get 50 percent, 10 percent, 90  
[12] percent?  
[13] **A:** I didn't calculate this. But I  
[14] looking — I have to pay 15 percent when they  
[15] showed me full design phase. Why I have to talk  
[16] about the — how many percent? Full design cost  
[17] 15 percent. Full design, that is it, you know.  
[18] Why we have to talk about —  
[19] **Q:** Okay.  
[20] **A:** — about 10 or 20 or 30 or 37-1/2.  
[21] **Q:** And I think you testified on this  
[22] earlier, but I just want to be clear. When you  
[23] say the full design is handed to you, you mean  
[24] images but not construction documents, correct?  
[25] **A:** Images, yes. Images.

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[1] **V. Voronchenko**  
[2] **Q:** But not construction documents?  
[3] **A:** I think no.  
[4] **Q:** Turning your attention to the next  
[5] phase how far did they get in the design  
[6] development phase?  
[7] **A:** How far?  
[8] **Q:** In other words, I'm just asking you,  
[9] do you see how there are different phases  
[10] here —  
[11] **MR. MANDEL:** And the record should  
[12] reflect that Mr. Bhandari, my partner, has  
[13] just stepped into the room.  
[14] **THE WITNESS:** Hi.  
[15] **MR. BHANDARI:** Hi, how are you? Let  
[16] me pull up another chair. I'll be here for  
[17] a couple of minutes.  
[18] **Q:** Do you have an understanding? The  
[19] first phase here is schematic design phase and  
[20] then the second phase is design development  
[21] phase, do you have any understanding?  
[22] **A:** What is design development phase?  
[23] **Q:** That was my question to you, do you  
[24] have any understanding of what that term means?  
[25] **A:** Hmm-hmm.

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[1] **V. Voronchenko**  
[2] **Q:** And construction development phase,  
[3] do you have any understanding of what that term  
[4] means?  
[5] **A:** Construction, it's — of course this  
[6] I understand, the apartment has to be fully  
[7] finished constructed.  
[8] **Q:** That would be the construction  
[9] phase, right, that would be the last phase,  
[10] right?  
[11] **A:** No, no, no, no, no, no, no, no, no,  
[12] no. What is building, and bidding and  
[13] negotiation?  
[14] **Q:** I can't answer the questions today  
[15] unfortunately, if so we might be able to go more  
[16] quickly.  
[17] **MR. ISRAEL:** You're going to have  
[18] Garry Braderman.  
[19] **MR. MANDEL:** Is he going to cover  
[20] these issues?  
[21] **A:** Garry is not professional builder,  
[22] you know, he doesn't know about this, anything.  
[23] Garry — Garry is my friend who tried to help me  
[24] when he had free time, you know. And that's it.  
[25] Let's start with the first point,



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**V. Voronchenko**

[1] schematic design phase. Schematic design phase  
[2] — phase, it means — it means full apartment,  
[3] all the rooms, all the details. Schematic, not  
[4] in detail but schematic, but 100 percent. If I  
[5] see this, schematic design phase, I have to pay  
[6] 15 percent. I never saw 100 percent design,  
[7] schematic design for whole apartment. And you  
[8] can show me this.

[9] **Q:** Okay —

[10] **A:** I think I paid too much for them.

[11] **Q:** Do you have any understanding as to  
[12] what the design development phase is?

[13] **A:** Listen, let's talk about this first  
[14] one.

[15] **Q:** Well, I want to move on to the  
[16] second one.

[17] **A:** For what do you need to talk about  
[18] the second one if you — you can show me or I can  
[19] see the full first point, schematic design phase?

[20] You know, I have to understand I spend money for  
[21] nothing or I — I paid, really. The first point  
[22] you need to show me — not you, but Triarch has  
[23] to show me full schematic design phase.

[24] **Q:** Okay.

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**V. Voronchenko**

[1] **A:** Never, never, never showed me this  
[2] one. I don't want to even talk about later,  
[3] later one.

[4] **Q:** I understand. But do you have any  
[5] understanding of what has to happen in the design  
[6] development phase?

[7] **A:** Design development phase. Not  
[8] really, not really. Not really.

[9] **Q:** Is it your understanding —

[10] **A:** I understand very well about the  
[11] schematic design phase, because there it is very  
[12] important for the — for the company who order  
[13] this — this design, because, first of all, to  
[14] show to the owner of the apartment, and this is  
[15] the most important thing, schematic design phase,  
[16] if you as the owner of the apartment, company or  
[17] something — somebody personally, okay, you know,  
[18] and it's exceptional — accepted for the person  
[19] or for the company, okay, this deal was done, you  
[20] know. After this, oh, another this goes  
[21] automatically. Automatically it's somebody call  
[22] to bookkeeper, we finish this part, pay us, we  
[23] finish that part, pay us. The most important  
[24] thing is first — first one, when is the — when

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**V. Voronchenko**

[1] the customer likes this or don't like this, he  
[2] wants to change or he wants to change part of  
[3] this or 10 percent of this plan or 90 percent of  
[4] this plan, this is the most — the most important  
[5] things.

[6] Or another technical — technical  
[7] reasons, it's not — owner is not involved in  
[8] this — in other point, yeah, never, because  
[9] owner doesn't understand things on blueprints,  
[10] drawings, or doesn't understand quality of the  
[11] wall or something like this. It's nobody from  
[12] the owner involved in this process. The owner is  
[13] always involved in only first point.

[14] When I see the beautiful design, the  
[15] whole apartment, everything is okay, furniture  
[16] okay, lights on, draperies okay, design of all  
[17] rooms is okay, and this okay. Only after this  
[18] people can move to another — to another points,  
[19] not before, not before.

[20] **MR. MANDEL:** I have no more  
[21] questions about Exhibit 2.

[22] **MR. ISRAEL:** It's like 5 to 1:00,  
[23] just giving you a heads-up, considering we  
[24] were going to take a break at 1:00.

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**V. Voronchenko**

[1] **MR. MANDEL:** Let me see if we can  
[2] get a few more questions, since this is  
[3] what we're dealing with here.

[4] **Q:** Was there a goal to get the Italian  
[5] factory to begin production at some point in  
[6] time?

[7] **A:** When we worked with Triarch, they  
[8] didn't start to do anything.

[9] **Q:** I'm not asking what happened. I'm  
[10] asking was there a plan or a goal or objective or  
[11] a desire or a want to get the Italian factory to  
[12] start producing the materials by a date certain?

[13] **A:** They can't start to produce anything  
[14] without finish of this first point, to accept —  
[15] accept full plan and full decoration, no, they  
[16] can't do — start to do anything, you know,  
[17] because they need to understand full of the  
[18] project, full material for what was going on.  
[19] After I fixed this, when I accepted this, when I  
[20] accepted this whole project, I — after this, we  
[21] can move to Italian company.

[22] **MR. ISRAEL:** You know from the  
[23] testimony — you know from the exhibits  
[24] that — from the documents that Garry will

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[1] *V. Voronchenko*

[2] have the information on this area, I'm just  
[3] saying that because this is an area where  
[4] you might be better just asking him.

[5] **MR. MANDEL:** Okay.

[6] **Q:** Do you recall having any discussion  
[7] whatsoever with Triarch about a specific deadline  
[8] when the Italian factory would begin their work?

[9] **A:** I never talked about this because we  
[10] didn't finish first drawings. There was no  
[11] reason to talk about this Italian factory for the  
[12] begin, we must finish with the whole project.  
[13] After this, this is the next step. All —  
[14] listen, all job of Libracon, it is job of Triarch  
[15] by the way. Libracon, this Italian company,  
[16] Libracon contact this Italian company. But as  
[17] you see, the contract, if you check the contract,  
[18] it was obligation of Triarch to find somebody who  
[19] will produce or — 100 percent obligation from  
[20] Triarch. It's not — it's not question of  
[21] Italian — Italian factory. Libracon has to show  
[22] me another factory in America, it is their  
[23] obligation, why we are talking about Italian  
[24] factory? Italian factory was idea — Libracon's  
[25] idea, not connected with Triarch, absolutely.

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[1] *V. Voronchenko*

[2] **Q:** Am I correct?

[3] **A:** Libracon has to show me project,  
[4] propose me who else build, who will build, who  
[5] will make the decoration, who will this, this and  
[6] this, with the prices, with proposition. And  
[7] after this, we have to make decision who will do  
[8] this, Italian factory or maybe New York factory  
[9] or maybe Miami factory. It's much more  
[10] convenient, you know, to produce all of these  
[11] things in New York than in Italy. It's clear,  
[12] yes?

[13] **Q:** Am I correct that before Triarch was  
[14] hired to work on this project, that a decision  
[15] had been made that you would use the Italian  
[16] factory; is that correct?

[17] **A:** Italian factory, it was like  
[18] a — like a proposition, you know, like just I  
[19] don't know these people from — it doesn't matter  
[20] who will produce this, all of these things,  
[21] American or Italian or French. I don't know who  
[22] can — who can give us good — good quality and  
[23] good price, better price.

[24] Of course for — I prefer to produce  
[25] in United States, definitely yes, because more

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[1] *V. Voronchenko*

[2] money for transportation, more money job, in  
[3] Italian cost more than United States. Prices in  
[4] Italy more than United States.

[5] First, of course, I looked to find  
[6] for this apartment another company who can build  
[7] this, a local company we can visit three times a  
[8] day the apartment to see — to try to change  
[9] something, you understand, and I looked for not  
[10] Italian company. I looked for American company.

[11] **Q:** Did you feel that Triarch's designs  
[12] were too art deco and not contemporary enough?

[13] **MR. ISRAEL:** Objection.

[14] **A:** Do I feel that Triarch —

[15] **Q:** That Triarch's designs were too  
[16] close to art deco and should have been more  
[17] modern and less art deco?

[18] **A:** I feel that they can't work exact in  
[19] this style, in this general.

[20] **Q:** In the art deco style, in general?

[21] **A:** In general, because they never did  
[22] this before. It was typical, typical New York  
[23] designers, and I don't want to say wrong about  
[24] New York designers, but they are, you know, more  
[25] SoHo style more Village style.

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[1] *V. Voronchenko*

[2] **MR. ISRAEL:** Did you say "more  
[3] circus style"?

[4] **A:** SoHo. More huge style. More. I  
[5] understood they were very far, mentally, from art  
[6] deco.

[7] **MR. MANDEL:** Let's take lunch.

[8] (Whereupon, at 12:58 p.m., a  
[9] luncheon recess was taken.)

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[1] *V. Voronchenko*  
[2] **AFTERNOON SESSION**  
[3] 1:40 p.m.  
[4] VLADIMIR VORONCHENKO, resumed  
[5] the stand and testified further as follows:  
[6] **BY MR. MANDEL:**  
[7] **Q:** I've handed you what has been marked  
[8] as Defendant's Exhibit 26 and —  
[9] **A:** Just a moment, I want to see  
[10] something. This is a letter from Garry Braderman  
[11] to Michaela, and Michaela she is a partner in  
[12] Triarch, yes?  
[13] **Q:** Yes.  
[14] **A:** Yes. And another — on the —  
[15] **MR. ISRAEL:** He hasn't asked you any  
[16] questions yesterday. Just wait until he  
[17] asks you questions.  
[18] **A:** Just a moment to show something.  
[19] Drawing, again, this is a — my drawing, drawing  
[20] of my people, Russian, do you see?  
[21] **Q:** Libracon?  
[22] **A:** Not Libra — I think Libracon, but  
[23] you see this is Russian, this is plan of  
[24] apartment variance 2. How can I call?  
[25] **MR. ISRAEL:** What was that.

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[1] *V. Voronchenko*  
[2] **A:** There was a lot of work keep people  
[3] from Russia, not Libracon.  
[4] **Q:** There were people from Russia who  
[5] worked on it other than Libracon?  
[6] **A:** Yeah, Libracon.  
[7] **Q:** Were there Russians working on it  
[8] other than the people at Libracon?  
[9] **A:** Of course there is.  
[10] **Q:** Who else?  
[11] **A:** Libracon is a Russian company.  
[12] **Q:** I understand that. And I understand  
[13] Libracon did work on the project.  
[14] **A:** Yep.  
[15] **Q:** Was there any other group in Russia  
[16] doing work on the project, other than Libracon?  
[17] **A:** No.  
[18] **Q:** So you think Libracon did that  
[19] drawing that is attached to Exhibit 26?  
[20] **A:** Libracon prepared the new drawings  
[21] and sent these drawings to Triarch, do you see?  
[22] **Q:** Yes.  
[23] **A:** Not Triarch to Libracon, Libracon to  
[24] Triarch.  
[25] **Q:** I understand. And do you know if

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[1] *V. Voronchenko*  
[2] Triarch incorporated anything in this drawing  
[3] into Triarch's drawings?  
[4] **A:** This one?  
[5] **Q:** Yes. Do you know if Triarch used  
[6] this drawing in any way?  
[7] **A:** I don't know.  
[8] **Q:** And how were you suggesting the  
[9] hallway be redone? Let me draw your attention to  
[10] the first page. It says, "Vladimir entertains  
[11] the idea of redoing the hallway as per the  
[12] attached drawing."  
[13] **A:** It was idea of Libracon.  
[14] **Q:** It was Libracon's idea?  
[15] **A:** Yes.  
[16] **Q:** But you liked it.  
[17] **A:** I liked it.  
[18] **Q:** And could you —  
[19] **A:** And I proposed to Triarch to do  
[20] this.  
[21] **Q:** Okay.  
[22] **A:** Yeah.  
[23] **Q:** And which hallway were you referring  
[24] to, because there are — I see there are — there  
[25] are two areas on this drawing that have bubbles

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[1] *V. Voronchenko*  
[2] around them that have — that have sort  
[3] of — that are circled.  
[4] **A:** Yes, it's — later we changed this  
[5] area too. Later we changed this area too. But  
[6] after Triarch, after Triarch, we did this idea of  
[7] Libracon.  
[8] **Q:** You used that idea itself?  
[9] **A:** Libracon idea, not Triarch's idea.  
[10] **Q:** I understand.  
[11] **A:** And — and more, because we changed  
[12] here, remember, we canceled this.  
[13] **Q:** Right.  
[14] **A:** We canceled this wall and we  
[15] canceled here.  
[16] **Q:** So am I right that there is a large  
[17] sort of square bubble on the —  
[18] **A:** Yes.  
[19] **Q:** And what is — do you know what  
[20] inside this bubble is being changed?  
[21] **A:** No. It's a lot of change, because  
[22] before it was — it was — before it was  
[23] this — it was hallway, near the elevator, now  
[24] you see it's no wall here, like today, you know.  
[25] **Q:** I understand. And how about this

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[1] **V. Voronchenko**  
[2] circular bubble here?  
[3] **A:** No. No doors here. This is — it  
[4] was Libracon's idea. Later we did a lot of from  
[5] this and plus more. But this is Libracon idea.  
[6] **Q:** Okay.  
[7] **A:** Not Triarch.  
[8] **MR. ISRAEL:** He got it, he  
[9] understands.  
[10] **MR. MANDEL:** That is all I have.  
[11] **Q:** Actually, after you sent that, after  
[12] that drawing was sent to Triarch, did Triarch  
[13] accept this idea, or did they reject it? Do you  
[14] remember what they did, how they responded to  
[15] this e-mail?  
[16] **A:** Who cares Triarch accepted or  
[17] Triarch not accept it?  
[18] **Q:** Well it, may be important to  
[19] Triarch, so that is why I'm asking. I just  
[20] asked, do you have any recollection of how  
[21] Triarch responded to that e-mail?  
[22] **A:** What date? December 1, 2008. You  
[23] remember what Triarch showed us in his website.  
[24] Triarch showed on his website where he's number  
[25] one in this list, 515 apartments, New York, I

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[1] **V. Voronchenko**  
[2] don't know.  
[3] **Q:** You're saying on Triarch's website,  
[4] it showed your apartment or the apartment —  
[5] **A:** Yes.  
[6] **Q:** — that is the subject of this case?  
[7] **A:** Yes, number one.  
[8] **Q:** When did you see it on the website?  
[9] **A:** When did I see it?  
[10] **Q:** Yes.  
[11] **A:** Before yesterday.  
[12] **Q:** Before yesterday, you mean in the  
[13] last few days?  
[14] **A:** No. I saw this before and last time  
[15] I checked it before yesterday.  
[16] **Q:** And did they have any drawings on  
[17] the website?  
[18] **A:** Yes, of course.  
[19] **Q:** Of 515 Park Avenue?  
[20] **A:** Yes, they made mistake.  
[21] **Q:** Are they allowed to have those  
[22] drawings on the website?  
[23] **MR. ISRAEL:** Calls for a legal  
[24] conclusion. If you know the answer, you  
[25] can answer it, but it calls for a legal

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[1] **V. Voronchenko**  
[2] conclusion.  
[3] **A:** What do you mean? On the website  
[4] you can check it, you will see the drawings —  
[5] **Q:** Right.  
[6] **A:** — of the apartment.  
[7] **Q:** Do you have an understanding as to  
[8] whether Triarch is permitted to put those  
[9] drawings on its website?  
[10] **A:** Of course not. They don't have any  
[11] permission to do this. It's another potential  
[12] case for the court.  
[13] **Q:** Would you feel differently about  
[14] this case if Triarch did, in fact, have the  
[15] permission to do that?  
[16] **A:** Listen, this is a publicity, you  
[17] know. He asked — he must to ask me about the  
[18] permission to put my private residence to their  
[19] website. Its absolutely a legal obligation, you  
[20] know.  
[21] **Q:** What if this contract, what if the  
[22] contract that Triarch or Medallion signed said  
[23] that Triarch owned all of the drawings it created  
[24] and it can do whatever it wanted with them?  
[25] **MR. ISRAEL:** Calls for a legal

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[1] **V. Voronchenko**  
[2] conclusion.  
[3] **Q:** Would that change your opinion in  
[4] this case anyway?  
[5] **A:** Sorry, again?  
[6] **Q:** What if the contract — you know  
[7] there is a contract between Triarch and  
[8] Medallion?  
[9] **A:** Yes.  
[10] **Q:** We discussed it earlier today?  
[11] **A:** Yes.  
[12] **Q:** If that contract said that Triarch  
[13] had a right to do whatever it wanted with its  
[14] drawings, including drawings of the apartment?  
[15] **A:** Yes. And it was in contract?  
[16] **Q:** Yes. If the contract —  
[17] **A:** I didn't understand. It was in  
[18] contract, he wanted to do anything what he want  
[19] with the drawings with everything?  
[20] **Q:** Yes. If the contract said that,  
[21] would that make you feel differently about this  
[22] case?  
[23] **MR. ISRAEL:** Objection.  
[24] **A:** I don't understand, you want to tell  
[25] me by, the contract, they can show to everybody,

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[1] **V. Voronchenko**  
[2] for example, my bedroom, and put on their website  
[3] my private — my bedrooms?  
[4] **Q:** Yes.  
[5] **A:** They have this — this is legal?  
[6] **Q:** What they can do under the contract  
[7] is that they can —  
[8] **MR. ISRAEL:** Can I ask a question?  
[9] You don't have to have a discussion with  
[10] them on what — you're going to give him  
[11] legal advice?  
[12] **MR. MANDEL:** Obviously I can't  
[13] advise him.  
[14] **A:** For me it's interesting again.  
[15] **Q:** Let's talk about this at a break,  
[16] I'll explain my client's position, and maybe at  
[17] the end of the day I can explain more about my  
[18] client's position when you're done testifying.  
[19] **MR. ISRAEL:** He understands your  
[20] client's position.  
[21] **MR. MANDEL:** Okay.  
[22] **MR. ISRAEL:** He doesn't agree with  
[23] it, so let's move on.  
[24] **A:** Sorry.  
[25] **MR. ISRAEL:** Just answer his

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[1] **V. Voronchenko**  
[2] questions. Please, when he asks you the  
[3] questions, just answer them.  
[4] **Q:** Did you use some Lalique panels in  
[5] the apartment?  
[6] **A:** Lalique panels, yes.  
[7] **Q:** Where did you get those panels from?  
[8] **A:** You know why? It was my idea  
[9] because I'm distributor of Lalique in Russia, so  
[10] during 20 years, you know.  
[11] **Q:** Did you manufacture those or  
[12] distribute Lalique panels?  
[13] **A:** I distribute not panels, all Lalique  
[14] products.  
[15] **Q:** All Lalique products?  
[16] **A:** Not just panels. This is the idea  
[17] of the Lalique and my idea and pushed — I did  
[18] this —  
[19] **Q:** So the panels, the ones that you  
[20] actually used in your apartment, are they ones  
[21] that you got from your Lalique distribution  
[22] business?  
[23] **A:** Of course, yes. This is a new  
[24] design.  
[25] **Q:** Who would you talk to at Libracon?

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[1] **V. Voronchenko**  
[2] **A:** Who?  
[3] **Q:** Which people at Libracon were you  
[4] working with?  
[5] **A:** Who talking to Libracon? What do  
[6] you mean?  
[7] **Q:** When would you talk to Libracon,  
[8] what people would you talk to?  
[9] **A:** Different one of them, I don't  
[10] remember his name. Phillip, he is his partner.  
[11] **Q:** Anyone else that you can recall?  
[12] **A:** I don't know, I never talked to  
[13] technical people.  
[14] **Q:** Did Libracon ever make any  
[15] modifications or changes to Triarch's drawings?  
[16] **A:** It's very difficult to say, because  
[17] I think — I think the Triarch change their —  
[18] Libracon's proposition, opposite. Not Libracon,  
[19] Triarch. Triarch changed some of Libracon  
[20] proposition, because they were based on Libracon  
[21] proposal.  
[22] Even if you remember the design of  
[23] Libracon, the design of Triarch is the same, but  
[24] design of Libracon was 10 months before, and of  
[25] course they showed to Triarch, I showed to

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[1] **V. Voronchenko**  
[2] Triarch, proposition of Libracon. Libracon was  
[3] first, Triarch was second.  
[4] **Q:** Is Filip's last name Vuckovic?  
[5] **A:** Yes. Absolutely.  
[6] **Q:** That is V-U-C-K-O-V-I-C?  
[7] **A:** Vuckovic. Vuckovic.  
[8] **MR. McKEE:** Off the record.  
[9] (Discussion held off the record.)  
[10] **Q:** Was it necessary for Triarch to  
[11] prepare construction drawings in order to create  
[12] those images?  
[13] **A:** Necessary?  
[14] **Q:** Yes. Could you create those images  
[15] without construction drawings?  
[16] **MR. ISRAEL:** Objection.  
[17] **Q:** If you know?  
[18] **MR. ISRAEL:** Which images are you  
[19] talking about?  
[20] **MR. MANDEL:** The renderings, which  
[21] he referred to as the computer-generated  
[22] images.  
[23] **Q:** You know —  
[24] **A:** How can another way they can do  
[25] this?

<p style="text-align: right;">Page 169</p> <p>[1] <i>V. Voronchenko</i></p> <p>[2] <b>MR. ISRAEL:</b> I don't understand, you</p> <p>[3] can make the computer drawing —</p> <p>[4] <b>MR. MANDEL:</b> Yes.</p> <p>[5] <b>MR. ISRAEL:</b> — without — without</p> <p>[6] what?</p> <p>[7] <b>MR. MANDEL:</b> Without construction</p> <p>[8] drawings.</p> <p>[9] <b>MR. ISRAEL:</b> Without construction</p> <p>[10] drawings.</p> <p>[11] <b>A:</b> No, this is — this is definitely —</p> <p>[12] this is the first step, construction drawings. I</p> <p>[13] don't care construction drawings before I see the</p> <p>[14] full final project, full — I explain to you</p> <p>[15] again, full project with the furniture, with the</p> <p>[16] light, with the everything is ready, everything</p> <p>[17] is ready. The second step is construction</p> <p>[18] drawings.</p> <p>[19] <b>Q:</b> In order to create those computer</p> <p>[20] images, you need all the dimensions to be</p> <p>[21] correct, correct?</p> <p>[22] <b>A:</b> Dimensions?</p> <p>[23] <b>Q:</b> Yes.</p> <p>[24] <b>A:</b> Computer, it is not dimensions, just</p> <p>[25] ideas, nothing, if you know, just idea.</p>	<p style="text-align: right;">Page 171</p> <p>[1] <i>V. Voronchenko</i></p> <p>[2] colors. Now it's much more easy. Now they spend</p> <p>[3] for this two weeks now with a computer you can do</p> <p>[4] this in couple of hours, you know, the same job.</p> <p>[5] (Plaintiff's Exhibit 40, e-mail</p> <p>[6] dated December 11, 2008, marked for</p> <p>[7] identification.)</p> <p>[8] <b>A:</b> But another way, how can I</p> <p>[9] understand without the pictures?</p> <p>[10] <b>MR. MANDEL:</b> Plaintiff's Exhibit 40</p> <p>[11] is a December 11, 2008 e-mail which has</p> <p>[12] five pages of drawings attached, the pages</p> <p>[13] are not Bates stamped.</p> <p>[14] <b>Q:</b> Do you have any recollection of</p> <p>[15] receiving the drawings that are attached in this</p> <p>[16] e-mail?</p> <p>[17] <b>A:</b> Collection of what?</p> <p>[18] <b>Q:</b> Of seeing these — these drawings?</p> <p>[19] <b>A:</b> I don't remember this. Can you</p> <p>[20] wait, it's a lot of differences.</p> <p>[21] <b>Q:</b> What differences are there?</p> <p>[22] <b>A:</b> First of all, first difference is in</p> <p>[23] master bathroom, for example, there is a</p> <p>[24] different — different design. In master</p> <p>[25] bedroom, this one with the closets, this is no</p>
<p style="text-align: right;">Page 170</p> <p>[1] <i>V. Voronchenko</i></p> <p>[2] <b>Q:</b> You think you could generate those</p> <p>[3] images without putting the dimensions into the</p> <p>[4] computer?</p> <p>[5] <b>A:</b> No. It's — you show me — you show</p> <p>[6] me the — all these pictures, did you see any</p> <p>[7] numbers, dimension of something? This is just</p> <p>[8] idea. This is rough idea.</p> <p>[9] <b>Q:</b> Is it your understanding that</p> <p>[10] creating those computer images is the standard</p> <p>[11] way a renovation of a residential apartment is</p> <p>[12] done?</p> <p>[13] <b>MR. McKEE:</b> Objection to form.</p> <p>[14] <b>MR. ISRAEL:</b> Objection.</p> <p>[15] <b>Q:</b> Would it have been possible to do</p> <p>[16] the renovation of the apartment without creating</p> <p>[17] those computer-generated images?</p> <p>[18] <b>A:</b> No. Everybody, everybody does</p> <p>[19] computer images, everybody. This is a</p> <p>[20] professional tradition now. Before they had to</p> <p>[21] do this much more difficult job. They had to do</p> <p>[22] this by — by hand, you know, when they did this</p> <p>[23] like ten years ago, they — the same people,</p> <p>[24] professional people produced the same books, but</p> <p>[25] they did by hands, you know, hands and with</p>	<p style="text-align: right;">Page 172</p> <p>[1] <i>V. Voronchenko</i></p> <p>[2] doubt because it's part of our decoration before,</p> <p>[3] before Triarch, we are not talking about this.</p> <p>[4] In here I see that the master</p> <p>[5] bedroom, the bed, and above the bed is, I see,</p> <p>[6] fabric wallpaper. We don't have fabric</p> <p>[7] wallpaper. And this column fabric. We have this</p> <p>[8] full of the mirror, where is this fabric we have</p> <p>[9] lacquer, white lacquer wood, white lacquer wood</p> <p>[10] and mirror in the center. And —</p> <p>[11] <b>Q:</b> Go ahead.</p> <p>[12] <b>A:</b> — it's completely another design.</p> <p>[13] <b>Q:</b> Do you generally recall reviewing</p> <p>[14] drawings that were provided to you by Triarch?</p> <p>[15] <b>A:</b> I checked the drawing.</p> <p>[16] <b>Q:</b> Do you remember ever seeing any</p> <p>[17] Triarch drawing?</p> <p>[18] <b>A:</b> But you showed me.</p> <p>[19] <b>Q:</b> Right. I see what is here, I'm</p> <p>[20] asking what is in your mind? Sitting here today,</p> <p>[21] do you have a memory, do you recall seeing</p> <p>[22] Triarch drawings?</p> <p>[23] <b>A:</b> More or less, yes, because you know</p> <p>[24] why, what is the result of their drawings? The</p> <p>[25] result of their drawings is my work with them</p>

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**V. Voronchenko**

[1] with every details, I remember.  
[2] **Q:** And could you understand those  
[3] drawings? Could you understand what those  
[4] drawings would look like if the renovation was  
[5] done using those drawings, or did you need the  
[6] computer images?  
[7] **A:** Listen, the package of the  
[8] professional obligations from the design of the  
[9] creator, they have to present you, first of all,  
[10] the full books of the computer design of all  
[11] piece of property, not only like a painting, like  
[12] wall by wall, especially the ceiling. Did you  
[13] see in this apartment how — how complicated  
[14] ceiling? It's very big job.  
[15] The ceiling, to build this ceiling  
[16] like this, it's much more money than build the  
[17] wall. And they have to show ceiling walls, floor  
[18] and whole the apartment. And images of this  
[19] apartment, it's their obligations. Book has to  
[20] be all — it's not mine because I wanted this.  
[21] Everybody wanted this, everybody wanted it. Of  
[22] course I want to see the images, not only  
[23] drawings. Drawings okay, they put wallpaper.  
[24] What is it wallpaper? Wallpaper is going to be

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**V. Voronchenko**

[1] hundred thousand different wallpapers. One of  
[2] them is shit, one of them can be beautiful and  
[3] what is it? What does it mean, wallpapers?  
[4] Draperies, what kind of draperies? Heavy, light,  
[5] visible through or not?  
[6] **Q:** In December of 2008, had — I'm done  
[7] asking questions about that exhibit. You can set  
[8] that aside, if you would like.  
[9] In December of 2008, had you decided  
[10] on a final plan for the library?  
[11] **A:** I don't remember.  
[12] (Plaintiff's Exhibit 41, e-mail  
[13] dated December 12, 2008, marked for  
[14] identification.)  
[15] **Q:** I've handed you what has been marked  
[16] as Plaintiff's Exhibit 41. It is a December 12,  
[17] 2008 e-mail —  
[18] **A:** Oh —  
[19] **Q:** — from —  
[20] **MR. ISRAEL:** Let him.  
[21] **Q:** — from Michaela Deiss to Steve  
[22] Corelli and e-mails below and there is one page  
[23] attached to it.  
[24] I'm going to read to you the text of

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**V. Voronchenko**

[1] the e-mail here, Mr. Voronchenko, the e-mail  
[2] below is from Filip, I believe Filip of Libracon?  
[3] **A:** I have a question, who did this,  
[4] final drawings, hall and library?  
[5] **Q:** Before we get there, "I am sending  
[6] you again the final drawings for hall and  
[7] library. I already spoke with Mr. Voronchenko,  
[8] and he decides those drawings. There is no need  
[9] to change them again. The Plans are okay. We  
[10] are not going to change them. I'm also sending a  
[11] your final plan. Please send us a final's! Mr.  
[12] Voronchenko has to sign them."  
[13] So in December of 2008, did you  
[14] approve the final plan for the library and the  
[15] hall?  
[16] **A:** Look at this, "Dear Michaela, I am  
[17] sending you again the final drawings for hall and  
[18] library" but who prepared this final drawings?  
[19] Filip Vuckovic or Michaela?  
[20] **Q:** I don't know, but that is a  
[21] perfectly good question.  
[22] I'm going to repeat my question,  
[23] Mr. Voronchenko, which is, in December 2008, did  
[24] you approve the final plans for the library and

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**V. Voronchenko**

[1] the hall?  
[2] **A:** Of course I don't remember this.  
[3] But during this one I need to understand, the  
[4] plans are okay, we are not going to change them.  
[5] I'm also sending in your final plan. Please send  
[6] us the final's, Mr. Voronchenko has to sign them.  
[7] Did I sign? If I signed, it's okay; if I no  
[8] signed, it's not okay.  
[9] **Q:** After December of 2008 did you  
[10] change the plans for the library in any way?  
[11] **A:** Yes.  
[12] **MR. ISRAEL:** Objection.  
[13] You can answer.  
[14] **Q:** How did you change the plans?  
[15] **A:** You saw the — you saw the Lalique  
[16] panels.  
[17] **Q:** Other than the Lalique panels, did  
[18] you change the plans for the library in any way?  
[19] **A:** Listen, it says the wall in the  
[20] library inside, this is a mirror, before it was  
[21] not mirror.  
[22] **Q:** Where was the mirror? Where is the  
[23] mirror?  
[24] **A:** Just a moment. Where is the

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[1] **V. Voronchenko**  
[2] library? This one and this one from this side  
[3] now it's mirror, we changed this and we changed  
[4] that. Now it's mirror. It was — it was plan of  
[5] Triarch, it was absolutely simple bookcases, but  
[6] with Lalique panels. Now it's not — you can  
[7] find everyday big cases with a large, from the  
[8] ceiling to the floor, Lalique panels.  
[9] **MR. MANDEL:** So that the record is  
[10] clear, Mr. Voronchenko is pointing to the  
[11] side of the library that has bookcases with  
[12] respect to the Lalique panels. And with  
[13] respect to the mirrors, he's pointing to  
[14] the side of the —  
[15] **THE WITNESS:** No, mirrors.  
[16] **MR. MANDEL:** — to the side of the  
[17] library that is adjacent to the living  
[18] room.  
[19] **THE WITNESS:** With the Triarch, no  
[20] mirror here.  
[21] **Q:** That is the wall that is adjacent to  
[22] the living room; is that correct?  
[23] **A:** This is the living room.  
[24] **Q:** Right.  
[25] **A:** This is —

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[1] **V. Voronchenko**  
[2] **Q:** So the wall next to the living room?  
[3] **A:** Yes, in — from the side of the  
[4] library.  
[5] **Q:** And other than those two changes,  
[6] did —  
[7] **A:** Listen, very easy for you to fight.  
[8] If you see my signature on the plan, you know,  
[9] it's — it's okay. Maybe I sign this, if you see  
[10] the signature on all of these pages; if not  
[11] signature, I have one very strong position,  
[12] I — because I had very big experiences in this  
[13] kind of business. If people have my signature  
[14] okay, I know my signature, I'm not talking about  
[15] anything, that is it. And if you ask me about  
[16] any drawings without my signa — without my  
[17] signature, it's for nothing. I didn't — I  
[18] didn't —  
[19] **Q:** I understand. I'm just asking after  
[20] December.  
[21] **A:** I didn't — I didn't —  
[22] **Q:** After December 2008?  
[23] **A:** Yes.  
[24] **Q:** Other than the Lalique panels and  
[25] the mirrors, did anything about the library

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[1] **V. Voronchenko**  
[2] design change?  
[3] **A:** It was after, it was after — it was  
[4] after Triarch, it was not in December.  
[5] **Q:** Right. Anytime after December of  
[6] 2008, whether it is 2009 or 2010, 2011, anytime  
[7] after December of 2008, other than the Lalique  
[8] panels and the mirrors, did anything about the  
[9] library design change?  
[10] **A:** If the design change, after — after  
[11] December.  
[12] **Q:** What about the design changed?  
[13] **A:** I told you, what — what I changed  
[14] the design what was the details I changed.  
[15] **Q:** Which details did you change? I  
[16] know you talked about the Lalique and you talked  
[17] about the mirrors. Other than those two things?  
[18] **A:** I changed the floor because with  
[19] Triarch we didn't — they recommended me not  
[20] change the flooring.  
[21] **Q:** And what kind of —  
[22] **A:** We changed full floor in all  
[23] apartment.  
[24] **Q:** What kind of floor did you use in  
[25] the library?

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[1] **V. Voronchenko**  
[2] **A:** This is the same floor in all  
[3] apartment.  
[4] **Q:** Same floor in the whole apartment?  
[5] **A:** Whole apartment.  
[6] **Q:** What kind of floor did you put in in  
[7] the whole apartment?  
[8] **A:** It is dark wood, black wood, let's  
[9] see how it's called this wood, venge, venge wood.  
[10] **Q:** Is it W?  
[11] **A:** No. V.V-E-N-G-E. Venge wood. We  
[12] put it in whole apartment venge wood. It's  
[13] after, this is after Triarch.  
[14] **Q:** Any other changes to the library?  
[15] **A:** Could you show me again the drawings  
[16] of Triarch?  
[17] **Q:** So the record is clear, I'm showing  
[18] Exhibit 4 the page with the library.  
[19] **A:** You know — you know what  
[20] happened —  
[21] **Q:** Defendant's Exhibit 4.  
[22] **A:** Because the drawings in — drawings  
[23] on their website is different than this one.  
[24] This — this part, we don't have this part. We  
[25] cancel this part.



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*V. Voronchenko*

- [1] **MR. MANDEL:** So that the record is  
[2] clear, he's referring to the lower  
[3] left-hand corner of the wall that has the  
[4] books on it.  
[5] **A:** We canceled — we canceled this  
[6] part. Yes, this part we put it here. You see  
[7] the floor here? This is our previous floor, we  
[8] changed the floor.  
[9] **Q:** We changed the bookcase, we changed  
[10] the walls and we changed the floor. It's a lot.  
[11] **A:** We just keep — we just keep  
[12] the — the ceiling, but this is just — this is  
[13] just like idea, some prepares the drawing with  
[14] ceiling.  
[15] **Q:** I apologize if I've been kicking  
[16] you, by the way.  
[17] **A:** Yes. No problem.  
[18] **Q:** Did you have to —  
[19] **A:** Absolutely other furniture,  
[20] absolutely, everything is absolutely another.  
[21] **Q:** Did you have to obtain approval from  
[22] the building's board of directors in order to do  
[23] the renovations?  
[24] **A:** Of course, yes. How is it possible?

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*V. Voronchenko*

- [1] **Q:** And did you obtain approval before  
[2] you hired Triarch or after you hired Triarch or  
[3] both?  
[4] **A:** I think before, I don't remember. I  
[5] think before.  
[6] **Q:** Did you instruct Triarch that  
[7] whatever modifications to the apartment they did,  
[8] had to be consistent with what the board had  
[9] approved?  
[10] **A:** I don't remember. They're  
[11] professional people, they need to — to follow up  
[12] on the official rules and law. How can I say  
[13] them?  
[14] **MR. ISRAEL:** Do you want this back?  
[15] **MR. MANDEL:** Yes, please.  
[16] (Plaintiff's Exhibit 42, two-page  
[17] e-mail, marked for identification.)  
[18] **MR. MANDEL:** For the record, Exhibit  
[19] 42 is an e-mail chain, the first e-mail of  
[20] which is from Michaela Deiss to Aaron  
[21] Boucher, B-O-U-C-H-E-R, dated December 16,  
[22] 2008. And attached to it is one page of  
[23] drawings, the e-mail is two pages.  
[24] **Q:** Drawing your attention to the e-mail

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*V. Voronchenko*

- [1] in the middle of the page from Mr. Braderman to  
[2] Ms. Deiss, I draw your attention to the second  
[3] page, B, "Proposed solution contradicts with what  
[4] we were approved for, i.e. the option proposed by  
[5] you is in conflict with what was approved by the  
[6] Board. Please refer to the drawings approved by  
[7] the Board."  
[8] Does that refresh your recollection  
[9] as to whether you asked Triarch to make its  
[10] designs consistent with what was approved by the  
[11] board?  
[12] **A:** Triarch has to have this  
[13] board-approved document. How can the — how can  
[14] Triarch can work without this? This is a very  
[15] important city —  
[16] **Q:** I understand?  
[17] **A:** — city rules.  
[18] **Q:** I'm asking whether reading this  
[19] e-mail refreshed your recollection as to whether  
[20] you ever instructed Triarch that their design had  
[21] to be consistent with what the board had already  
[22] approved?  
[23] **A:** I had only one very hard  
[24] instruction, everything what they do has to be

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*V. Voronchenko*

- [1] legal for New York state law. That's it. Has to  
[2] be legal. You know, I don't care what they did,  
[3] but every step, every proposition has to be  
[4] legal, city rules, board of director rules and  
[5] sanitary rules, but it has to be legal, that's  
[6] it.  
[7] **Q:** Do you recall whether you went back  
[8] to Triarch after —  
[9] **MR. MANDEL:** Excuse me, withdrawn.  
[10] **Q:** Do you recall whether you went back  
[11] to the building's board of directors after you  
[12] terminated Triarch to get a second approval to do  
[13] a different design?  
[14] **A:** I don't know about this. Of course,  
[15] yes, I think how can we change the design without  
[16] approval.  
[17] **Q:** But you don't recall specifically?  
[18] **A:** Of course not. But it just my — my  
[19] thinking.  
[20] **Q:** Am I correct that your friend,  
[21] Michael Kaufman, his daughter's name is Julie  
[22] Kaufman?  
[23] **A:** Absolutely.  
[24] **Q:** And did you ever discuss this

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[1] *V. Voronchenko*  
[2] project with Julie Kaufman?  
[3] **MR. ISRAEL:** Objection.  
[4] You can answer.  
[5] **A:** You know, when we had dinner  
[6] with — with Steve, Julia was with us. She  
[7] joined us, but what we are talking about, what we  
[8] spoking about four years ago, I don't remember.  
[9] **Q:** How about after that dinner, did you  
[10] have any conversation with Julie Kaufman about  
[11] this project?  
[12] **A:** I don't remember.  
[13] **Q:** Did Julie Kaufman ever ask you to  
[14] terminate Triarch?  
[15] **A:** I don't remember.  
[16] **Q:** Did Julie Kaufman's father ever ask  
[17] you to terminate Triarch?  
[18] **A:** To terminate Triarch?  
[19] **Q:** Yes.  
[20] **A:** Terminate is stop to work.  
[21] **Q:** To fire them, does that —  
[22] **A:** No, never. Oh, I understand. Julia  
[23] never asked me about this and her father never  
[24] asked me about this.  
[25] **Q:** And did — as the divorce was

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[1] *V. Voronchenko*  
[2] happening or after the divorce was happening, did  
[3] you have any discussion about this project with  
[4] Michael Kaufman?  
[5] **A:** What do you mean, discussion about?  
[6] **Q:** Did he ever say to you —  
[7] **A:** Discussion like how is your deal,  
[8] you mean this one, okay, or not okay. This is  
[9] what was discussion?  
[10] **Q:** Yes, that would be discussion.  
[11] **A:** I don't remember.  
[12] **Q:** What, if anything, did Michael  
[13] Kaufman tell you about the divorce of Stephen and  
[14] Julie?  
[15] **MR. ISRAEL:** Objection.  
[16] **A:** This is too deep to the private life  
[17] of the people, I don't even understand how can we  
[18] discuss about this.  
[19] **MR. ISRAEL:** Why is it that you want  
[20] to ask about this?  
[21] **A:** Divorce of two people, we will talk  
[22] about their divorce?  
[23] **Q:** Well, let me ask a more general  
[24] question. Did he tell you that it was a very bad  
[25] divorce, without getting into specifics, just

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[1] *V. Voronchenko*  
[2] generally, did he tell you that it was a very bad  
[3] divorce?  
[4] **A:** I heard about this generally from  
[5] different — our mutual friends and la-la-la, I  
[6] heard about this.  
[7] **Q:** Earlier, I believe you testified  
[8] that the divorce was one of the factors that led  
[9] you to decide to terminate Triarch; is that  
[10] correct?  
[11] **A:** It's not very important.  
[12] **Q:** You said —  
[13] **A:** It was not very important things for  
[14] me. But before I feeled like obligation, you  
[15] know, to continue to, and because I didn't want  
[16] to make unhappy my friend, you know. After this,  
[17] I did — I did what I wanted.  
[18] **Q:** But no one put any pressure on you  
[19] to terminate Triarch?  
[20] **A:** No.  
[21] **Q:** And did you think that terminating  
[22] Triarch would make Michael Kaufman happy?  
[23] **MR. ISRAEL:** Objection.  
[24] **A:** What do you think about — what do  
[25] you think about this?

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[1] *V. Voronchenko*  
[2] **Q:** I don't know. I don't know what the  
[3] dynamic was.  
[4] **A:** Put yourself in the place of my  
[5] friend and tell me.  
[6] **Q:** Did it make you happy?  
[7] **A:** You will be happy if — are you  
[8] happy something happened with person who make  
[9] your daughter upset? I think you would be happy,  
[10] I don't know about Michael Kaufman. I didn't  
[11] know about this, but definitely I would be happy.  
[12] But Kaufman, I don't know.  
[13] **Q:** You're saying that the fact that it  
[14] might make Mr. Kaufman happy wasn't a factor in  
[15] your decision to terminate —  
[16] **A:** I don't know.  
[17] **Q:** — Triarch?  
[18] **A:** I don't know, I never talked with  
[19] him about this. By the way —  
[20] **MR. ISRAEL:** Wait, I just object to  
[21] you mischaracterizing testimony.  
[22] You can continue. Let him ask you  
[23] questions, and then you can answer his  
[24] questions.  
[25] **Q:** I'm showing you what has been marked